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THE  
**Charters**  
AND  
**Letters Patent,**

GRANTED BY  
THE KINGS AND QUEENS OF ENGLAND

TO  
THE TOWN AND CITY

OF  
**Bristol.**

NEWLY TRANSLATED, AND ACCOMPANIED BY THE ORIGINAL LATIN.

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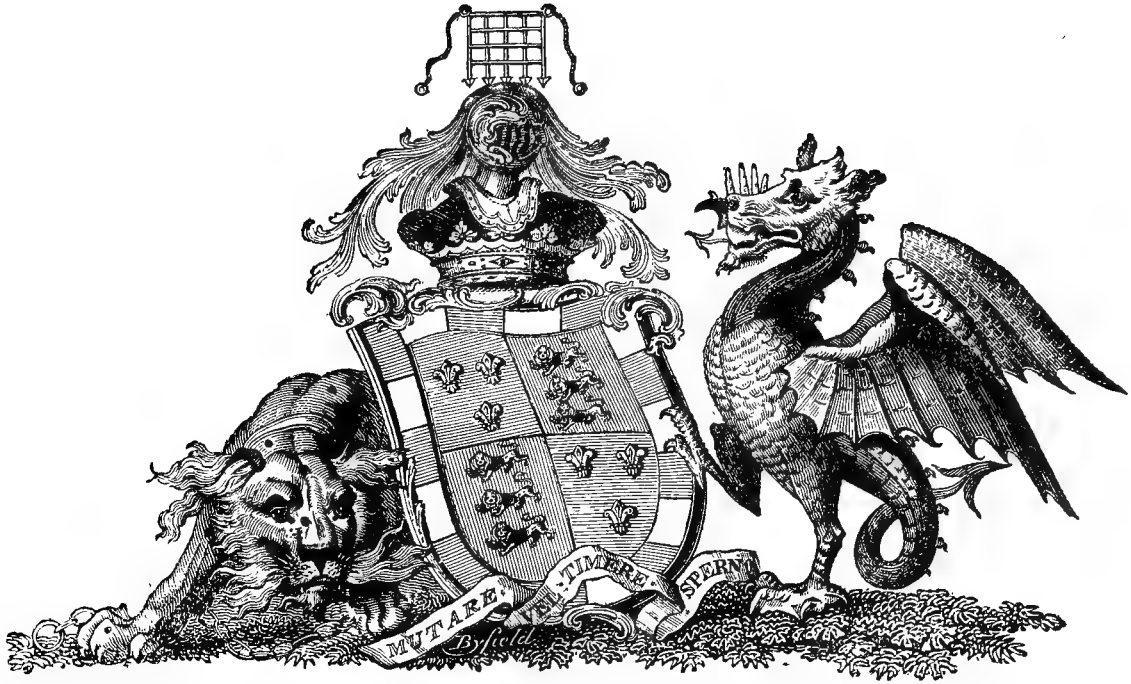
BY  
THE REV. SAMUEL SEYER, M. A.  
*A Burgess of that Corporation.*

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BRISTOL:  
PRINTED FOR  
JOHN MATHEW GUTCH, BRISTOL,  
AND  
ROBERT BALDWIN, PATERNOSTER-ROW, AND JOHN MURRAY, FLEET-STREET, LONDON;  
*By Evans & Graham, Bristol.*

1812.





TO

HIS GRACE

**HENRY CHARLES**

**Duke of Beaufort,**

MARQUIS AND EARL OF WORCESTER, EARL OF GLAMORGAN, BARON HERBERT OF RAGLAND, CHEPSTOW AND GOWER, BARON BEAUFORT AND BARON BOTTETOURT, KNIGHT OF THE MOST NOBLE ORDER OF THE GARTER, CONSTABLE OF THE CASTLE OF ST. BRIAVEL, LORD WARDEN OF THE FOREST OF DEAN, AND LORD LIEUTENANT OF THE COUNTIES OF GLOUCESTER, BRISTOL, MONMOUTH AND BRECON.

*May it please your Grace ;*

*The high office and authority which your Ancestors have held in this city, and which your Grace now holds, together with that attention which your family has always shewn*

*to its interests, induced me to request that this collection of its Royal Charters may appear to the world under your Grace's patronage. Your compliance with this request assures me, that the work will find a favourable reception. That your Grace and your illustrious house may ever continue to be, what it has hitherto been, the support of Constitutional Loyalty, the defence of Church and State in this and the adjoining counties, and may ever enjoy those dignities, which it has so nobly acquired, is the sincere wish of*

*Your Grace's*

*Most obedient and most humble Servant,*

**THE EDITOR.**

## Preface.

THE city of BRISTOL being one of the most ancient boroughs in the kingdom, and being possessed of many privileges and ample jurisdictions, the Royal Charters, from whence these privileges and jurisdictions had their rise, or by which they were recognized, are not only historically interesting but are also of great actual importance to it's inhabitants. It is true that many of the more ancient grants contained in them are become obsolete, overwhelmed by the current of national improvement; but the greater part still remains in force, forming the foundation of the present municipal constitution of our city; and they necessarily present themselves to the observation of all it's inhabitants, particularly of those who are concerned in the administration or the execution of it's government.

Beside the local interest which is attached to these Charters, a collection of progressive records, such as the present, cannot but be useful to historical antiquaries in general. In tracing the history of the English nation, he who confines his reading to the common compilations will still be very deficient in this important study: cotemporary writings of all kinds must be resorted to; old chronicles must be perused, and above all, laws and records; one day thus spent will give more insight into the manners, the character and opinions, as well as the transactions of a distant age, than thrice the time employed in reading the best *History of England*. The present collection exhibits the interesting view of a town gradually emerging from vassalage to freedom, from barbarism to civil order; bending under the violence of the military chiefs who surrounded it, but at the same time establishing a sort of republican independence in the midst of them. Nor was the benefit of this conduct confined to themselves: liberty and civilization originated in towns;

from them the commons of the whole nation learned the cautious practice of encroaching by imperceptible degrees on military power, until at length the most important of the privileges of boroughs became the general rights of the whole people.

The series of Charters here presented to the Public was written originally in Latin, in which they are now published for the first time. This language was used in the laws and public instruments of most European nations long after it ceased to be spoken; one reason for which, in addition to those usually given, was because the Popes in many cases claimed an appellate jurisdiction, and for the use of churchmen Latin was necessary. And when afterwards the Norman French began to be used in England, it was only on such occasions as were not particularly interesting to the Clergy; and this distinction may be observed in all the statutes after the introduction of the Norman language.

It has been usual with classical men to find much fault with the Latin used by our lawyers. This blame is without sufficient reason: the language used in the following Charters, in the *Foedera* published by Rymer, in our monkish chronicles and in other books of the same kind, is as much a dialect of the Latin, as the Hellenistic is of the Greek. In particular the use of new words admits of a very plain defence. When new combinations of ideas arise, as in different nations and different ages they necessarily do, new words must be invented; for no people will long use several words to express one idea, when they can invent a single word for the purpose. Thus the words *foresta*, *parliamentum*, *baro*, *ducissa*, *feodum*, *comitatus* and the like, infringe not the propriety of the language, because they were of unavoidable use in forming that dialect in which these writings were composed. Reasonable bounds must be set to innovation; but this is not a place for enlarging on the subject.

It may be questioned whether an apology equally good can be made for another part of the language of these and such like legal writings. Their

(1) As to the statutes and proceedings of the courts of justice in England being in French, there is much curious matter in the old books.



verbosity is tedious and unnecessary: the perpetual recurrence of the words *aforesaid, of us and our heirs*, and the like, the affectation of minute and scrupulous caution in such expressions as *any and all and singular and whatever*, long enumerations of particulars and additions of synonymous words, are inconsistent with elegance and even with perspicuity: and to prove that they are unnecessary, if common sense be not sufficient, appeal may be made to these writings themselves; for in numerous passages such repetitions are not used, where nevertheless there is as much occasion for them as in any other place. It is to be lamented that the legal instruments even of our own age still retain this inelegant and obscure mode of writing, derived from times of comparative barbarity.

The abbreviated manner of writing these Latin instruments, which was customary in some periods of our history, is another source of obscurity much to be lamented. The termination of almost every word is cut off, as may be seen in No. 36 of this collection, so that the distinction of cases, tenses and numbers is lost, unknown probably to the writer himself: much time has consequently been thrown away in determining the true reading; and even still the signification of some few passages is left uncertain. This is exceedingly to be lamented, because the Latin language, by reason of the precision of its terminations, is particularly suited to the accuracy necessary in legal writings, which advantage by this barbarous custom is wholly lost. With regard to another part of orthography, law-writers have been extremely cautious: unwilling to trust the meaning of legal instruments to the hazard of being corrupted by the insertion or alteration of points, they have wisely agreed to omit punctuation altogether; it is therefore surprising that they who were so laudably scrupulous in this respect, should be so inaccurate in the other. Had I nevertheless possessed a perfect transcript of the original Charters, I should not have thought myself at liberty to deviate from it; but from the copy which I had it was safer to write the words at length and to follow the common orthography; and the greater part of my readers will probably be better pleased to have it so.

## Preface.

The English translation is wholly new: that of 1736 (the only one ever printed) is executed so very ill, that it scarcely deserves serious mention: it is false and unintelligible in numberless places, and frequently passes over difficult words and passages unnoticed. In pp' 79, 105, 128-9, may be found two or three examples, among a hundred, of unintelligible language; some few ridiculous errors are mentioned in the following notes; and the book abounds with such defects as these in almost every page; and lastly, the dates in the margin are so frequently wrong, that not the least dependence can be placed on them. It has been attributed to two or three persons; but which <sup>2</sup>of them was the real translator, I know not. Beside the printed, I have had the use of a MS translation dated 1734, written generally in the same words as the printed, but in many places differing from it, sometimes for the better and sometimes not so. Bad as these translations are, they have not been altogether useless, in forming the present edition; for they have sometimes contributed to furnish a various reading, or to ascertain the true: every assistance was acceptable, for the purpose of forming a correct text of the original Latin.

The forming such a text was the most essential part and has been the principal labour of this work. The Bodleian MS [Rawlinson 247] of which I procured a copy, is the foundation of it: but this is merely a transcript of k' Charles the Second's charter of confirmation, No. 33 of the present collection, in which all the rest are repeated by *inspeximus*; and beside its own errors; many errors must have arisen even in the <sup>3</sup>Original; for it is evident that each succeeding charter of confirmation merely copied the preceding, without having recourse to the *first* Original: any error therefore which an early copyist made was conveyed to all future charters; and if it be considered that the earlier of them must have been copied ten or twelve times before they appeared in k' Charles the second's charter of confirmation, it will be evident

(2) I have been informed that the translation was made by order of the common-council, and that the author's name appears in an entry in the books of the Council-house at that time.

(3) The real Original of Charles the Second's Charter of Confirmation, was accidentally lost about 30 or 40 years ago: that which is now in the Council-house is an exemplification of the copy in the Chapel of the Rolls, passed under the great seal.

that the forming an accurate text from such materials has been a work of some difficulty. This difficulty would have been reduced to nothing, if I could have procured access to the Originals in the Council-House. At an early period of this undertaking application was made for this purpose, but the event disappointed my expectation: the following papers will not only serve as a narrative what passed, but will also give a further account of the object of the present publication.-

“ *To the Mayor, Aldermen, and Common-Council of the city of Bristol, the Memorial  
“ of the Rev. S. S. a free Burgess of the said city*

“ *Sheweth,*

“ THAT your Memorialist has with great pains and some  
“ expence procured copies in the original language of almost all the Charters  
“ granted by the kings of England to your Corporation, which he is desirous of  
“ publishing with an English translation annexed to them. But whereas his  
“ copies have been transcribed not from the Originals, but from a copy in the  
“ Bodleian Library in Oxford, in consequence of which there may be in them  
“ some verbal errors, and perhaps some omissions, which in a work of this kind  
“ ought particularly to be avoided, your Memorialist therefore prays, that he  
“ may be permitted, himself and a literary friend or any competent person ap-  
“ pointed by you, to have access to the Originals, either in the Chamberlain’s  
“ office, or any other room which you may direct, for the purpose of collating  
“ his copies, and of supplying any deficiencies, which may be found in them.  
“ And your Memorialist, &c. &c.”

The following letter, addressed to a Member of the Common-council, was read at the same time with the above Memorial.

“ Sir,

“ Have the goodness to peruse the inclosed copy of a *Memorial, &c.* ;  
“ and if you approve of the object proposed by it, when it comes before the  
“ House, to say a few words in favour of it.”

## Preface.

“ I foresee one or two objections which may possibly be made to the  
 “ proposal, which I will endeavour to obviate. It may be said that there is  
 “ already an edition sufficient for common use. That edition is in 4to, 1736:  
 “ it contains a translation of Charles the Second's first and second Charters, and  
 “ of queen Anne's Charter, and little more. It is true that Charles the Second's  
 “ first Charter contains most of the preceding Charters, to the number of about  
 “ 28, but it contains them in such a manner as to make them nearly useless;  
 “ for on dipping at hazard into the book, it would in general be an hour's  
 “ employment to find to what Charter the page originally belonged. In the  
 “ proposed edition each Charter will be separate from the rest. Moreover, the  
 “ translation of 1736 is so very ill executed, that it is in many places unin-  
 “ telligible and in some places false. The proposed edition will contain a new  
 “ translation, accompanied by the original Latin.

“ Should it be said that the Charters of Corporations ought to be kept  
 “ secret, it will be answered, that such concealment, even if desirable, is by no  
 “ means practicable. The Charters of Bristol have been produced in courts of  
 “ law, and will always be liable to such production; they are not in Bristol  
 “ only, but are kept among the Records in London, and are not difficult of  
 “ access; copies already exist, and the translation of 1736 was published under  
 “ the sanction, as I am informed, of this Corporation. The question therefore  
 “ now is not whether they shall be published, for that is already done in various  
 “ ways; nor is it whether they shall be re-published, for that is in the power  
 “ of any individual; but whether they shall be re-published in such a manner  
 “ as shall be creditable to the city.

“ The whole object, which I have in view, is this. I would give a hand-  
 “ some edition of the Charters in both languages, accompanied with historical and  
 “ legal Notes. Toward the legal notes I have some few in the hand-writing  
 “ of Judge Foster; from professional friends I have received others, and am  
 “ promised many more. I would procure engraven specimens of the hand-  
 “ writing of some of them; engravings of some of the seals in the manner in  
 “ which they are published in Blackstone's edition of *Magna Charta*; and

“ engravings of the <sup>4</sup> Heads of the Kings, which are prefixed to some of the  
 “ original Charters; if I recollect well, there are many of them. How far I  
 “ shall be enabled to carry this plan into execution will depend partly on the  
 “ encouragement which the Corporation may give to it, and partly on the num-  
 “ ber of Subscribers to the publication. And I will add with confidence, that  
 “ if it be executed on this plan, it will not only be a work interesting and  
 “ useful to our own city, but to our national Antiquaries in general. It would  
 “ give me great pleasure, should the Corporation of Bristol be the first to pro-  
 “ mote a work of this kind, the example of which will probably be followed by  
 “ the Metropolis, and by other cities and towns. If nevertheless any objections  
 “ should arise, which I have not been able to foresee, give me leave to suggest  
 “ one proposal, to which I think there could be no objection, viz. a reference  
 “ to the Recorder. His opinion would be decisive.

“ March 1810.”

“ I am, your's, &c.

“ S. S.”

The answer was as follows:

“ *To the Rev. S. S.*

“ Council-House, Bristol.

“ Dear Sir,

“ I have to inform you, that your Memorial praying leave to  
 “ inspect the Charters of this city was taken into consideration by the Corpo-  
 “ ration, in Common-council assembled, and it was ordered—that your request  
 “ could not be complied with.

“ I am, dear Sir,

“ Your's very truly,

“ S. W. *Town-Clerk.*”

(4) *Heads of the kings.*] It should have been added, *or other ornamented initials.* One of these, prefixed to No. 11, p' 36, I am enabled to present to my readers, copied from the original by the liberal interference of Mr. Alderman DANIEL: my design was, that every Initial should have been executed in the same manner.

I am anxious, for the credit of my native place, to remove the first impression which this refusal is likely to make: from my own knowledge of the members of the Common-Council, I believe that no literary proposal of a reasonable kind would be rejected by it: that of which I now speak was favourably entertained by a majority of that body on a regular division; by what management it was <sup>5</sup>subsequently set aside, perhaps I am not sufficiently informed. The example of the Corporation of Newcastle, who lost town-dues of great value, in consequence of information contained in Mr. Brandt's History of Newcastle, has been frequently mentioned here, as a warning to other Corporations against suffering any of their papers to be inspected. It must be for want of a few moments reflection, that a just man would use this argument; for since the Corporation of Newcastle lost these town-dues by the decision of a Court of Justice, it is to be presumed that the lawful owners recovered them. But in the republication of our Charters no new information can be expected, for they are already well known, and a new edition of them is a mere literary undertaking, as free from all suspicion of mischief as the new edition of Holingshead's Chronicle. Let these Charters however contain what they may, they were granted to the Burgesses, and for their benefit; and ought to be open to their inspection, as members of the Corporation. What Magna Charta is to the people of England, the old foundation of their rights, a venerable record of political literature, such the Royal Charters are to our boroughs: they are a part of our laws, which like other laws it is absurd and unconstitutional to conceal. In such cases men are apt to make curious enquiries, and to entertain unfavourable suspicions: and though in general there may be nothing worth concealing, yet they cannot help supposing that the attempt to conceal betrays a consciousness, that there are things which will not bear exposure. Such concealments moreover ill accord with the liberality and enlightened policy of the age in which we live. Parliament is employing persons at great expence to arrange all the Records of the kingdom, to publish

(5) This is not the only instance in which I have been unsuccessful in enquiries of this kind, notwithstanding the approbation of the common-council. Some years ago, a member of that body, jointly with myself, procured an order for the loan of an old Chronicle called *The Mayor's Calendar*; a MS of no authority or actual value whatever, but curious and well emblazoned. Yet although the order was entered regularly in the Council-House book, that the MS should be lent to us jointly for a certain time, the officer, in whose custody it was, refused to deliver it.

some of them entire, and to print Indexes to the more voluminous, for the purpose of facilitating enquiries either of business or curiosity; and I can testify that at the offices where these Records are kept, great readiness prevails to assist those who wish to search them. The same facility of access is found by those who frequent the libraries of the Metropolis and of the Universities; some of the Corporations of England are at this time <sup>6</sup>procuring at their own expence translations of their Charters; and the Corporation of Bristol did itself, as I am informed, authorize the publication of it's Charters in 1736. It is mortifying to be forced to make these comparisons; and if the real disposition of the members of the Common-Council be as it has been represented above, it may well be asked how it happened that they did in this respect finally adopt a less generous conduct. It has been said, that they were guided by an opinion expressed by the highest law-authority of the Corporation. That such advice should be given and earnestly enforced by one who assumes to be the law-adviser of the Corporation, is characteristic and might be expected: but that the Recorder of Bristol, a scholar and a lawyer, should advisedly and knowing the circumstances of the case, either discountenance a work, however humble, of literary research, or should advise the concealment of Charters (*literæ patentēs*,) or should persuade a body of trustees to withhold from the knowledge of those for whom they are in trust the evidences of their rights and of their public property, unless he has been egregiously misinformed with regard to the nature of the present publication, it cannot be, it is incredible.

Under this prohibition, howsoever obtained, the only resource was *iterum antiquo me includere ludo*, to avail myself as I could of that conjectural emendation which is usually practised in editing classical authors, and to apply it perhaps for the first time to legal instruments. Nevertheless it must be confessed that it was grievous to throw away time and labour in amending a corrupt text, when the Originals lay almost within my view, a mere inspection of which would have removed all uncertainty: and inasmuch as some of

(6) I received this information from William Illingworth, Esq. Deputy-keeper of his Majesty's Records in the Tower, who is at present engaged in translating the Charters of Beverley, for the use of that Corporation.

these emendations cost me hours of attention, although to a cursory reader they may appear, when proposed, to be easy and obvious, it was difficult during the time of this tedious employment to preserve a perfect equanimity towards him, whose influence was ungenerously exerted, so as to render such an employment unavoidable.

The uncertainty of the text is not the only disadvantage which the prohibition of inspecting the Originals has occasioned to this work. Besides the Charters here published I have found notices of the following; some of which are probably in the Council-house.

1. A Charter of Henry 2, (some few years earlier than the first in the following collection) to his men dwelling in the Marsh near the bridge of Bristol. It is mentioned in Barrett's Hist' p' 73, and recited literally p' 663.

2. A Charter of Robert Fitzharding to his men in the Marsh, &c. recited literally in Barrett's Hist', p' 73.

3. A Charter of Maurice de Berkely, son of the above-mentioned Robert (dated about 1247), confirming to the men of Redcliffe the liberties which his father had granted to them, *ibid'* p' 73-74, and recited literally in p' 671. It is to be lamented, that Mr. Barrett has not informed us, where the Originals of these three are to be found.

4. Henry 3, immediately after his coronation at Gloucester, October 28, 1216, came to Bristol, where (as all our Mayors' Chronicles agree) he granted to the burgesses the privilege of choosing a Mayor; and accordingly all our lists of Mayors begin from that year. This privilege surely was not granted without a Charter; yet no Charter to that effect is known. It probably might be found by a careful search.

5. 6. A Charter dated at Westminster, Feb. 28, 1 Henry 3, i' e' three months after the preceding, and confirmed 5 Henry 3. Mr. Barrett quotes



this Charter, p' 668, but his recital of the contents agrees exactly with Charter 5 Edw' 3, and I am therefore persuaded that he was misled by the marginal dates in p' 69 of the old translation.

7. In the History of Bristol p' 670, is notice of a Charter 28 Hen' 3, confirmed 40 Hen' 3, concerning choosing a Coroner, &c. The author has here certainly misunderstood the marginal dates of pp' 62 and 64 of the old translation. These two Charters are 40 Hen' 3, and 28 Edw' 1, both in the present collection.

8. Our MS Mayor's Calendars say that in 5 or 6 or 7 of Edw' 2, a Charter was purchased for having two bailiffs.

9. A Charter of 24 Hen' 4, exempting Bristol from the jurisdiction of the Court of Admiralty. Mr. Barrett p' 175 says that there is a copy of this in the little red-book in the Council-house, p' 158. It is not in Charles the Second's Charter of Confirmation, and therefore not in the present collection; but the same exemption from the Admiralty is contained in Charter 1 Edw' 4. It is probable that Edw' 4 refused to acknowledge the validity of any grant from the Lancastrian kings, and therefore chose to grant the same privilege *de novo*.

10. A Charter of 17 James I, whereby the king grants to the Mayor, &c. Admiralty-jurisdiction in all personal causes. *Judge Foster's Notes on the Charters.*

Beside many Letters Patent containing leases and the like: the want of the four first, the 8th and 10th of this list is to be regretted.

It was neither within my inclination nor my ability to give a compleat series of legal Notes on the subjects mentioned in these Charters. Those which are inserted are chiefly intended for the purpose of explaining to unprofessional men the meaning of terms and the nature of practices which were common among our ancestors: and for this recourse has been had chiefly to

Jacob, or to Cowell whom Jacob copied; and my reader will probably discover that I have sometimes risked notions of my own. If any thing more than this should be observed, it is owing to the liberal communication of some professional friends, who have interested themselves in the credit of this publication: to one gentleman in particular, EDMUND GRIFFITH, Esq' Barrister at Law, and Steward of the Sheriff's Court, my acknowledgements are especially due.

The historical notes are such only as obviously occurred without particular research. They might have been extended to a much greater length; but the most of them being unconnected with any thing relative to Bristol, are to be considered useful or interesting only as describing persons and events cotemporary with each Charter.

On the principal subject of these Charters, the municipal government of the city, particularly in modern times, there will be found but little annotation. It was manifestly improper to enlarge on that subject, which may be more usefully and more conveniently taken up in a separate and continuous discourse; and which, having hitherto been very little noticed in proportion to its curiosity and importance, will form a chapter of considerable length in the intended *History of Bristol*.

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# I.

## CHARTER OF KING HENRY THE SECOND, A<sup>o</sup> D<sup>i</sup> 1164.

**Henry**, king of England, and duke of Normandy and Aquitaine, and earl of Anjou, to archbishops, bishops, abbots, priors, earls, barons, justices, sheriffs, and all the men<sup>1</sup> of his land, [sends] health. **Know ye**, that I have granted to my burgesses of Bristol, that they shall be quit both of toll<sup>2</sup> and passage<sup>3</sup> and all custom<sup>4</sup> throughout Free from toll and passage.

### I. *Carta r' Henrici secundi, A<sup>o</sup> D<sup>i</sup> 1164.*

**Henricus** rex Angliæ et dux Normaniæ et Aquitaniæ et comes Andragaviæ archiepiscopis, episcopis, abbatibus, prioribus, comitibus, baronibus, justiciariis, vicecomitibus, et omnibus hominibus terræ suæ Salutem. **Sciatis** me concessisse burgensibus meis de Bristoll, quod sint quieti et de theolonio et passagio et omni consuetudine per totam terram meam Angliæ,

(1) *Men.*] This word is to be understood in its feudal signification for *vassals* or *subjects*. Part of the oath of a vassal, when he did homage kneeling before his lord, was *I become your man*. See the oath in Spelman's Gloss, *homo*.

(2) *Toll*] is a reasonable sum of money or portion of the thing sold, due to the owner of a fair or market on the sale of things tollable therein. It was claimed by the lord of the fee where the fair or market was held, by virtue of a grant from the crown either ostensible or presumed.

It was a very frequent grant. William Earl of Gloucester by charter exempted 'the church of St. Peter of Glouc' and their men from payment of tolls in the vill of Bristol.' And by another charter they are exempted from payment of tolls in Bristol, Cardiff, Newburgh, 'and all other his lands'. He moreover exempted the church of St. Guthlac of Hereford from the payment of any tolls throughout all his lands in Wales. And 'John Earl of Moreton confirms

' to the church of St. Peter of Glouc' and to the church of the apostles Peter and Paul and St. Guthlac of Hereford, and to the monks there serving God, that they their men and servants shall be for ever free and quit from all toll, passage, loaden horses, carriages, driving-swine-money and bridge-money throughout all his lands, to wit, Bristol, Keyrdiffe, Newburgh and all other his lauds, for all manner of their own proper goods, which they shall either sell or buy'. Atkyns Glouc' p. 77.

This exemption from toll and passage had been granted to the citizens of London by Henry 1. Et omnes homines London' sint quieti et liberi & omnes res eorum per totam Angliam et per portus maris de theolonio et passagio et lastagio et omnibus aliis consuetudinibus. Wilkins leges Anglosax' p. 235: which was confirmed by k' Hen' 2.

(3) *Passage*] signifies money paid for crossing a river or (as it is sometimes used) for crossing the sea. It is over

Liberties and  
customs con-  
firmed.

my whole land of England, Normandy and Wales, wherever they shall come, they and their goods. Wherefore I will and strictly command, that they shall have all their liberties and acquittances and free customs fully and honourably, as my free and faithful men, and that they shall be quit of toll and passage and of every other custom: and I forbid any one to disturb them on this account contrary to this my charter, on forfeiture of ten pounds. **Witnesses**, Thomas<sup>5</sup> [Archbishop] of Canterbury; William,<sup>6</sup> the king's brother; Reginald, Earl of Cornwall; Roger,<sup>7</sup> Earl of Hereford; Patrick, Earl of Salisbury; Richard de Humet,<sup>8</sup> constable; Warin Fitzgerald, chamberlain; Walter de Hereford; John the Marshall. At Salisbury.<sup>9</sup>

Normaniæ et Walliæ, ubicunque venerint, ipsi et res eorum. Quare volo et firmiter præcipio quod habeant omnes libertates et quietancias et liberas consuetudines plenè et honorificè, sicut mei liberi et fideles homines; et sint quieti theolonio et passagio et omni ab [*lege alià*] consuetudine: et prohibeo ne quis eorum [*lege eos*] super hoc disturbet contra hanc cartam meam super decem librarum forisfacturam. **Testibus**, Thomà Kantuarensi; Willelmo, fratre regis; Reginaldo, Comite Cornubiæ; Rogero, Comite Herefordiæ; Patricio, Comite Sarum'; Ricardo de Hum', constabulario; Warino filio Gerardi, camerario; Waltero de Herefordià; Johanne Marischallo. Apud Sarum'.

water, as *way* is over land; see 4 Edw' 3, cap' 8; and differently from toll it is derived from private right, as belonging to the owner of the adjacent lands. This grant could not exempt the burgesses of Bristol and their goods from *all* toll, passage, &c. but from such only as might be due to the king.

(4) *Custom.*] *Customs, consuetudines* are customary payments or dues regal or ecclesiastical of various kinds. See Madox Exch' cap' xviii. 1. *Custom* in its modern sense for a tax on merchandize exported or imported, is called in Latin *custuma*.

(5) *Thomas Kant.*] This must be the famous Thomas Becket; for no other A' B' of Canterb' occurs in that age, who bore the name of *Thomas*. Leland Coll' iv. 180, calls A' B' Baldwin by the name of *Thomas Baldwin*; but I know no other who calls him by that name.

(6) *Wm. the king's brother.*] Geoffrey Plantagenet, Earl of Anjou, by his marriage with the Empress dowager Matilda, daughter of Hen' 1, had three sons: 1st, Henry the Second, k' of England: 2d, Geoffrey, E' of Anjou: 3d, William, E' of Mortaigne, the person here present.

(7) *Roger, E' of Heref'.*] He was son of the famous Milo, or Miles, E' of Hereford.

(8) *Ricardo de Hum.'*] His name is written *Humex, de Humex*, and *de Humet*. In 1168 and 1170 he was the king's Norman justiciary and resident in Normandy. It appears by this present charter that he was constable of Normandy as early as 1163-4; again he occurs as constable in 1173, and again in 1174. Vide Lyttleton's *Hist' of Hen' 2*, vol. 5, p. 156, et alibi.

(9) *The date.*] The date, although not expressed in the charter itself, is easily ascertained. Becket was made A' B' of Canterb' at Whitsuntide 1162, and quitted the kingdom in the latter part of 1164, after which time he was never present with the king in England; between which two dates this charter must have been granted. A great council of the bishops, nobles, &c. met at Clarendon in Jan' 1163-4, where the celebrated constitutions of Clarendon were enacted. At this time it may reasonably be supposed, that the King and Becket, and the other witnesses to this charter, might frequently meet at Old Sarum, from which Clarendon Park is only two or three miles distant.

## II.

### CHARTER OF KING HENRY THE SECOND,

A° D<sup>i</sup> 1172.

**Henry**, king of England, duke of Normandy and Aquitaine, and earl of Anjou, to his archbishops, bishops, abbots, priors, earls, barons, justices, sheriffs, provosts, officers, and to all his liege-men, French and English, and Irish, of all his land [sendeth] health. **Know ye**, that I have given and granted and by this my present charter have confirmed to my men of Bristow my city of Dublin for them to inhabit. Wherefore I will and strictly enjoin that they may inhabit it, and hold it of me and my heirs well and peaceably, freely and quietly, wholly and fully, and honourably, with all the liberties and free customs

#### II. *Carta r' Henrici secundi, A° D<sup>i</sup> 1172.*

**Henricus** rex Angliæ, dux Normanniæ, Aquitaniæ, et comes Andegaviæ archiepiscopis, episcopis, abbatibus, prioribus, comitibus, baronibus, justiciariis, vicecomitibus, præpositis, ministris, et omnibus fidelibus suis Francis et Anglicis, et Hibernensibus, totius terræ suæ, salutem. **Sciatis** me dedisse et concessisse et præsentî chartâ meâ confirmasse hominibus meis de Bristow civitatem meam de Divilin ad inhabitandum. Quare volo et firmiter præcipio, ut ipsi eam inhabitent, et teneant illam de me et de hæredibus meis benè et in pace, liberè et quietè, integrè et plenariè et honorificè cum omnibus libertatibus et liberis consue-

(1) *William de Braose.*] In 1210 William de Braosa, son of K' John in Ireland and Wales. This is probably the person Philip de Br,' a baron of great power, carried on war against here present.

- Carta r' Henrici secundi, A' D' 1172.

which the men of Bristow have at Bristow and through my whole land. **Witnesses**, William<sup>1</sup> de Braose; Reginald de Curtenai; Hugh de Gundeville; William<sup>2</sup> Fitzaldelm; Ranulph de Camville; Hugh de Creisy; Reginald de Paville. At Dublin.<sup>3</sup>

tudinibus, quas homines de Bristow, habent apud Bristow et per totam terram meam. **Testibus**, Will' de Braosa; Regin' de Curtenai; Hug' de Gundevilla; Will' filio Aldelmi; Ranulpho de Camvilla; Hug' de Creisii; Regin' de Pavilla. Apud Divelin.

(2) *William Fitz-Aldelm.*] He was the King's Sewer, and in 1176 was made Deputy or Lieutenant of Ireland.

(3) This Charter is copied from Lord Lyttleton's History of Hen' 2, book v. app' No. 1, who had it from the Ar-

chives of Dublin. There is no memorial of it in the records or annals of Bristol. Being dated at Dublin, it was certainly granted in the latter end of the year 1172, or in January 1173; that being the only time in which Hen' 2 was in that city.



### III.

## CHARTER OF JOHN, EARL OF MORETON,

ABOUT A° D<sup>i</sup> 1188.

**John**, Earl of Moreton,<sup>1</sup> to all his men and friends of France and England, Welsh and Irish, present and future, [sends] health. **Know ye**,<sup>2</sup> that I have granted, and by this present charter have confirmed to my burgesses of Bristol, dwelling within the walls and without, as far as the boundary of the town, that is to say, within Sandbrooke, and Bewell, and Brightnee-bridge,<sup>4</sup> and the spring in the way near Aldbery of Knolle, all their liberties and free customs, as well, freely and completely (or more so) as they ever had them in my time, or in the time of my predecessors. **But the** liberties which they granted to them are these:<sup>5</sup> viz. No burgess to sue or be sued out of Bristol.

### III. *Carta Johannis comitis Moreton, A° D<sup>i</sup> 1188.*

**Johannes**, Comes Moreton' Omnibus hominibus et amicis suis Franciæ et Angliæ, Wallensibus et Hibernensibus, præsentibus et futuris Salutem. **Sciatis** me concessisse et hæc præsentem cartâ confirmasse burgensibus meis de Bristoll' infra<sup>3</sup> muros et extra manentibus usque ad metam villæ, scilicet inter Sandbrooke et Bewell et Brickenbrigge et fontem in itinere juxta Aldberiam de Knolle, omnes libertates et liberas consuetudines suas, sicut unquam melius et liberius et integrius eas habuerunt tempore meo vel tempore alicujus predecessorum meorum. **Libertates**

(1) The earldom of Mortagne in Normandy was frequently in the royal family. Henry I. gave it to his nephew Stephen of Blois, afterward king. It was settled on William Plantagenet, youngest brother to Henry II. At the date of these presents it was in possession of earl John, afterward king, but how or when it came into his hands is variously related. By the original authors of English history it is usually written as here, *Moreton*; in Sandford's

Geneal' Hist' three grants are quoted, in which he stiles himself *Comes Moritonie*.

(2) *Know ye.*] See the charter of 1252, where there is a recital of all these grants; and in some passages each may correct the other.

(3) *Infra.*] In the language of our ancient laws, this word is invariably written instead of *intra*.

that no burgess of Bristol shall plead or be impleaded out of the walls of the town in any plea, except pleas relating to foreign tenures, which do not belong to the hundred of the town: and that they shall be quit of murder<sup>7</sup> within the bounds of the town:

They shall be free from murder and duel.

No one shall take an inn without leave of the burges' Quit of toll, lastage, &c.

**And that** no burgess shall wage duel,<sup>8</sup> unless he shall have been appealed for the death of any stranger, who was killed in the town and did not belong to the town: **And that** no one shall take an inn<sup>9</sup> within the walls by assignment or by livery of the Marshall<sup>10</sup> against the will<sup>11</sup> of the burgesses: **And that** they shall be quit of toll and lastage<sup>12</sup> and pontage,<sup>13</sup> and of all other customs

autem quas eis concesserunt hæ sunt; scilicet, quòd nullus burgensis de Bristol' placitet seu placitetur extra muros villæ de ullo placito præter placita de exterioribus tenuris,<sup>6</sup> quæ non pertinent ad hundredum villæ: **et quòd** quieti sint de murthero infra metas villæ: **et quòd** nullus burgensis faciat duellum, nisi appellatus fuerit de morte exterioris hominis qui occisus fuerit in villâ, and qui non fuerit de villâ: **et quòd** nemo capiat hospitium infrâ muros per assignationem vel per liberationem Mariscalli contra voluntatem burgensium: **et quòd** sint quieti de theolonio et lastagio et pontagio et de omnibus aliis consuetudinibus per totam terram et potestatem

(4) *Brightnee.*] This is the orthography of the printed translation, which is probably more accurate than *Bricken*.

(5) *Are these.*] The following immunities, as far as *force him to restore it*, are copied almost literally from the charters granted to the city of London by Hen' 1, and 2. They are printed in Lyttleton's *Hist' of Hen' 2*, vol. iii. app'.

(6) *Exterioribus tenuris.*] After these words Henry the Second's London charter adds *exceptis meis monetariis et ministris meis*.

(7) *Murder.*] It here means the fine claimed by the king or the lord from the hundred or township where murder had been committed, and the murderer had not been apprehended. If the fine could not be collected from the vill on account of it's poverty, then it was collected from the hundred. Bracton apud Spelman gloss' voc' *Englischeria*. From this fine the burgesses of Bristol are here exempted.

(8) *Wage duel.*] Accusations of treason, murder, and some other crimes were in that age legally sustained and defended by single combat. To be exempted from such a barbarous mode of trial was no doubt a great relief to peaceable townsmen.

(9) *Take an inn.*] I use the word *inn*, because it is generally so used; but certainly the thing meant by *hospitium* is by no means what we now call an *inn*, but rather a *lodging-house*, similar to what the *inns of court* were originally, or the halls in the universities. *To take an inn* means not the renting it, but the getting possession of it.

(10) *The Marshall.*] The principal barons of that age imitated royalty as far as their circumstances would allow. The marshal of the E' of Glouc' was therefore probably the officer who held and determined pleas in which that baron was concerned with his vassals, and who gave livery of lands and tenements according to the custom of the manour.

(11) In Henry the Second's Charter to London the clause stands thus: *quòd intra muros nemo capiat hospitium per vim vel per liberationem mariscalli*. Here *per vim* has the same meaning as *contra voluntatem burgensium* in our charter. It was not without reason that they of that age were cautious in this respect. For if a stranger sojourned in a place a few days, the tithing or hundred or vill were responsible for him and his good behaviour. In the *statutum Wallie* 12 Edw' 1, (1284) the sheriffs are directed, amongst other official duties, to enquire *de hospitantibus ignotis ultra duas noctes*.

(12) *Lastage*] from the Saxon *last* (a burden). It seems to be what we should now call *porterage* or *hallage*; a right, claimed by certain servants of the lord of the fee, of carrying goods purchased at fair or market; and the money exacted for that service. From *Cowell's Interpreter*; but his meaning is not explicit.

(13) *Pontage.*] It signifies in this place, a toll taken from those who pass over bridges, for the purpose of keeping them in repair.

throughout my whole land and power: **And that** no one shall be condemned in a matter of money, unless according to the law of the hundred, viz. by forfeiture of forty shillings: **And that** the said hundred-court<sup>15</sup> shall be held only once in the week: **And that** no one in any plea shall be able to argue his cause in miskenning:<sup>18</sup> **And that** they may lawfully have their lands and tenures and mortgages and debts throughout my whole land, whoever owes them [any thing]: **And with** respect to lands and tenures which are within the town, that they shall be held by them duly according to the custom of the town: **And that** with regard to debts which have been lent in Bristol, and mortgages there made, pleas shall be held in the town according to the custom of the town: **And that** if any one in any other place in my land shall take toll of the men of Bristol, if he shall not restore

Fine not more than forty shillings.

If toll be taken, distress may be levied.

meam: **et quod** nullus judicetur de materiâ<sup>14</sup> pecuniæ, nisi secundum legem hundredi, scilicet per forisfacturam quadraginta solidorum: **et quod** dictum hundredum tantum semel teneatur in septimanâ: **et quod** nullo placito possit quis causari<sup>16</sup> in meskeyningham:<sup>17</sup> **et quod** justè habeant terras et tenuras suas et vadimonia et debita sua per totam terram meam, quicunque eis debeat: **et quod** de terris et tenuris, quæ infra villam sunt, rectè eis teneantur secundum consuetudinem villæ: **et quod** de debitis, quæ accommodata fuerint in Bristoll' et de vadimoniis ibidem factis placita in villâ teneantur secundum consuetudinem villæ: **et quod** si quis alicubi in terrâ meâ

(14) *De materiâ.*] The difference between this clause and the corresponding in charter 36 Hen' 3 is remarkable.

(15) *Hundred court.*] *Et quod hustingus semel tantum in hebdomadâ teneatur.* Hen' 2 chart' to London. *Et hustingus sedeat semel in hebdomadâ, scilicet die Lunæ.* Hen' 1 chart' to London.

(16) *Causari.*] *Causare* in Ducange is said to signify among other things to *sue*, to *plead*, to *wrangle*, to *revile*. I have translated it as I could: but suspect that the word itself is erroneous, and to be corrected by the corresponding passage in chart' 36 Hen' 3.

(17) *Meskeyningham.*] It ought to be *miskenningam*.

(18) *Miskenning.*] i' e' mistakes in pleading. 'Miskenning, changing of speech in court. Cowell. The same prohibition is in the London charter of Henry 1. *Et amplius non sit miskenniga in hustenge neque in folkesmote, neque in altis*

*placitis infra civitatem.* Perhaps this obscure and antiquated practice may be the same as what was afterwards known in cases of *Jeo faille*, whereby judgment was arrested after verdict given, on account of some informality in the proceedings. Many statutes were enacted for the restraint of this practice, of which the following appears to be the earliest. 'Item, it is assented that by the misprision of a Clerk in any place, wheresoever it be, no process shall be annulled or discontinued by mistaking in writing one syllable or one letter too much or too little, &c.' 14 Edw' 3. stat' 1. c' 6. *Mispriston* and *mistaking* in this stat' are probably the same as *miskenning*. The word *miskenning* is also used for *the fine* for amending a plea. Edward the Confessor grants to the monastery of Ramsay, among other privileges, such as *sac*, *soc*, *toll*, *infongenthes*, &c. *miskenninge, aliasque omnes leges et consuetudines, quæ ad me pertinent.* Dugdale's Monast' 1, 237. In the laws of Hen' 1, c' 12, fines for amending a plea are imposed as high as 100 shillings.

it after he shall be required, the Prepositor of Bristol shall take from him a distress at Bristol, and force him to restore it:

A stranger shall not buy of a stranger.

**And that** no stranger-tradesman shall buy within the town of a man who is a stranger, leather, corn, or wool, but only of the

Nor keep a wine-shop.

burgesses: **And that** no stranger shall have a wine-shop<sup>20</sup> unless in a ship, nor shall sell cloth for cutting except at the fair:

Nor remain more than 40 days.

**And that** no stranger shall remain in the town with his goods for the purpose of selling his goods, but for forty days:

No burgess shall be arrested, unless he be debtor or surety.

**And that** no burgess shall be confined or distrained any where else within my land or power for any debt, unless he be debtor<sup>21</sup>

They may marry without licence.

or surety: **And that** they shall be able to marry<sup>22</sup> themselves, their sons, their daughters and their widows, without the licence

Lords shall not have wardship.

of their lords: **And that** no one of their lords shall have the wardship or the disposal of their sons or daughters on account of their lands out of the town, but only the wardship of their tenements which belong to their own fee, until they shall be of age:

ceperit theolonium de hominibus Bristoll', si non reddiderit postquam requisitus fuerit reddere, prepositus Bristollie capiat inde namium<sup>19</sup> apud Bristoll' et distringat reddere: **et quod** nullus extraneus mercator emat infra villam de homine extraneo coria, blada vel lanam nisi de burgensibus: **et quod** nullus extraneus habeat tabernam<sup>20</sup> nisi in navi, nec vendat pannum ad decisionem nisi in Nundinis: **et quod** nullus extraneus moretur in villa cum mercibus suis propter merces suas vendendas nisi per quadraginta dies: **et quod** nullus burgensis alicubi in terra vel potestate [supple meâ] manuteneatur vel distringatur pro aliquo debito, nisi sit debitor vel plegius: **et quod** possint maritare se et filios et filias et viduas sine licentiâ dominorum suorum: **et quod** nullus dominorum suorum propter forinsecas terras habeat custodiam vel donationem filiorum

(19) *Namium.*] A distress, i' e' any of a man's goods taken or distrained for the purpose of enforcing payment. The former translators of these charters, p. 52, mistaking the word *namium* for *naum* have ridiculously translated the passage thus: *he may take and distress a ship for the same.*

(20) *Tabernam.*] In classical Latin it signifies a shop of any kind; but in later times it came to signify a shop for selling wine; as in that well-known song of Walter Mapes,

*Mihi est propositum in tabernâ mori.*

(21) *Debtor or surety.*] It may be conjectured from hence, that among the violent practices of this barbarous age, it had sometimes happened, that when a debt owed by a person of another town could not easily be recovered, the

creditor had attached some other person, or his goods, belonging to the same town. This is the only interpretation which can be given of this clause; yet no actual example of such a practice has occurred.

(22) It is well known that the lords exercised the right of preventing their tenants and mesne lords and their families from marrying, unless with their consent; for which consent a fine was to be paid: and sometimes they proposed a disagreeable marriage, in order to receive a fine for not enforcing the completion of it. When a tenant or a mesne lord died, the lord had likewise the wardship or guardianship of their widows and children, and of their property, till they came of age. From these vexatious claims the burgesses of Bristol were now exempted.

**And that** there shall be no recognition in the town: **And that** no one shall take <sup>24</sup>tyne in the town unless for the use of the lord Earl, and that according to the custom of the town: **And that** they may grind <sup>26</sup>their corn wherever they shall choose: **And that** they may have all their reasonable <sup>27</sup>guilds, as well or better than they had them in the time of <sup>28</sup>Robert and his son William, earls of Gloucester: **And that** no burgess shall be compelled to bayl any man, unless he himself chooses it, although he be dwelling on his land. **We also** have granted to them all their tenures within the walls and without as far as the aforesaid boundaries, in

No one shall take tyne.

Grind their corn.

May have their guilds.

Burgesses not compellible to bail.

Tenures granted in free burgage.

vel filiarum suarum vel viduarum, sed tantum custodiam tenementorum suorum quæ sunt de feodo suo, donec ætatem habeant: **et quod** nulla <sup>23</sup>recognitio fiat in villâ: **et quod** nullus capiat tinam in villâ nisi ad opus <sup>25</sup>dom' com', et hoc secundum consuetudinem villæ: **et quod** possint molere blada sua ubicunque voluerint: **et quod** habeant omnes rationabiles gildas suas, sicut eas melius habuerunt tempore Roberti et Willelmi filii sui comitum Gloucestræ: **et quod** nullus burgensis cogatur <sup>29</sup>replegiare aliquem, nisi ipse voluerit, quamvis sit super terram manens. **Concessimus** etiam eis omnes tenuras suas, infra muros et extra usque ad metas prædictas, in

(23) *Recognitio*.] Although this word be usually rendered *recognizance*, yet it cannot be so here, at least in the usual and modern sense of the word. Perhaps it may be 'the verdict of twelve men empannelled upon an assize, which twelve men are called Recognitors of assize.' See Cowell *voc' recognizance* and *recognitors*. But since it does not appear that there could be any cause of complaint in such recognizances, it may be permitted to conjecture that, as *cognitio* is the hearing and determining of pleas, so *re-cognitio* may be the hearing them a second time.

(24) *Tyne*.] *Tyna* or *tina* is a large wooden tub or barrel. Du Fresne Gloss.—It here means a certain quantity of ale, payable by the townsmen to the constable for the use of the castle. 'No wonder that men who were covered with steel should domineer over burgesses and peasants, the armed over the unarmed. The former used to make captures upon the latter of hay, corn, beer, and other things, under divers denominations, to wit, of prise, tyne of castle, forrage, &c.' Madox Baron' p' 19, where is more to the same purpose. The Charter 36 Hen' 3 says that it ought to be 24 gallons; but how or how often to be levied we are not told. Neither are we informed, who beside the lord had presumed to levy such a tax.

(25) *Ad opus dom' com.'*] Until an opportunity offers of inspecting the original in the Chamberlain's office, I read

this *domini comitis*. The former translators seem to have read *domini comitalis*, for they have rendered it *lord of the county*.

(26) *Grind their corn*.] Another of the lord's rights was to oblige his vassals to grind their corn at his mill; which right was often the cause of much inconvenience and exaction.

(27) *Guilds*.] 'A guild is a fraternity or company combined together by orders and laws made among themselves by the prince's licence.' Cowell. Hence the *Guildhall* is the hall where these guilds used to meet.

(28) *Robert & William*.] John's wife's father and grandfather. The town and castle of Bristol was at that time a part of the honour of Gloucester, which was possessed by Earl John in right of his wife, the daughter of William son of Robert Fitzroy, earls of Gloucester; to whom he was betrothed, tho' not yet married.

(29) *Replegiare*.] The usual meaning of this word, *to replevy*, does not seem here admissible. 'The word is used also (says Cowell) for the bayling of a man, to let one to mainprize upon surety;' in which sense it is here used. It may be understood from hence, that men were sometimes compelled to bayl their tenants.

messuages, in copses, in buildings on the water and elsewhere, wherever they shall be in the town, to be held in <sup>30</sup>free burgage, viz. by <sup>31</sup>landgable service, which they shall pay within the walls.

They may  
build on the  
bank.

**We have** granted also that any of them may make improvements as much as he can in erecting buildings any where on the bank and elsewhere, so it be without damage of the borough and

And may have  
all void places  
to build on.

town: **And that** they shall have and possess all <sup>32</sup>void grounds and places which are contained within the aforesaid boundaries, to be built on at their pleasure. **Wherefore** I will and firmly

Confirmation  
of liberties.

enjoin, that my burgesses aforesaid of Bristol, and their heirs, shall have and hold all their aforesaid liberties and free customs, as is written above, of me and my heirs, as well and as compleatly (or more so) as ever they had them in good times, well and peaceably and honorably, without any hindrance or molestation which any one may offer them on that account. **Witnesses** Stephen Ridel, my chancellor; William de Wennen; Roger de Dlau; Roger

messuagiis, in virgultis, in ædificiis super aquam et alibi, ubicunque fuerint in villâ, tenendas in libero burgagio, scilicet per servitium langabuli quod reddent infra muros. **Concessimus** etiam quòd quilibet eorum possit se emendare quantum poterit in ædificiis faciendis ubique super ripam et alibi, sine damno burgi et villæ: **et quod** habeant et possideant omnes terras et placeas vacuas quæ infra prædictas metas continentur ad voluntatem eorum ædificandas. **Quare** volo et firmiter præcipio quòd prædicti burgenses mei de Bristoll' et hæredes sui habeant et teneant omnes prædictas libertates et liberas consuetudines suas, sicut præscriptum est, de me et hæredibus meis, sicut unquam melius et integrius eas habuerunt, quando benè fuerit, benè et in pace et honorificè, absque omni impedimento vel molestiâ, quam aliquis eis inde faciat. **Testibus** Stephano <sup>33</sup>Ried', cancellario meo; Willelmo de Wennen; Rogero de <sup>34</sup>Dlau; Rogero

(30) *Free burgage.*] Free socage was one of the principal tenures whereby lands were held in the feudal age; by which tenure the tenant was to pay to his lord only certain fixed services or payments, but no military service. When a house or land in a borough was held by free socage, the tenure was then called free burgage. This assurance of holding their tenures in free burgage was perhaps the most important of all the grants in this charter.

(31) *Landgable service*] or rather *the service of a land-gable*. A *gable* or *gavel* is a *rent* or *payment*; and therefore a *land-gable* is a *ground-rent*.

(32) *Void places.*] By this grant the corporation still claims all void and waste lands within the liberties, and have thereby annexed great estates to the city's use, such as Queen's Square and the streets adjacent, and part of St. Augustin's Back. *From Barrett's Hist.* p' 666.

(33) *Steph' Ried.*] *Rid* in the former transl'.—His name was *Stephen Ridel*, as may be seen in *Madox Excheq'* 1, 205,

(34) *Dlaâ.*] *Dlan* in the former transl'.

de Newport; Maurice de Berkly; Robert his brother; Hamo de Vallonis; Simon de Marsh; Gilbert Raft; William de la Feleyse; <sup>38</sup>Master Benedict; <sup>38</sup>Master Peter; and many others. At <sup>39</sup>Bristol.

de Novo Burgo; <sup>35</sup>Mauricio de Berkly; Roberto, fratre suo; <sup>36</sup>Ham' de Vall'; Simone de Marisco; Gilberto <sup>37</sup>Raft; Willelmo de la Feleyse; Magistro Benedicto; Magistro Petro; et multis aliis. Apud Bristoll'.

{35} *Maurice de Berkly.*] Robert Fitzharding, the noble founder of the house of Berkely, who lived in Bristol, had male issue Henry, Maurice, Robert and Nicholas. Maurice, present in Bristol when this charter was granted, succeeded to his honours: Robert, likewise present, was Baron of Were near Axbridge. *From Atkyns's Glouc'.*

{36} *Ham' de Vall.'*] In a deed relating to Bristol, of William E' of Glouc' about 1175, in my possession, one of the witnesses is *Ham' de Valonis*, the same person doubtless who is here meant. King John, in the 17th year of his reign (1216) made a grant of lands in Ireland to *Hamo de Valon'*.

{37} *Raft.*] *Ralph* in the old transl'.

{38} *Master.*] Two Ecclesiastics.

{39} *At Bristol.*] It is not easy to fix the date of this charter within six years. It could not be later than 1189, because the lord *Maurice de Berkly* died in that year; nor earlier than 1183, because William E' of Glouc' died in that year. How soon afterwards John came in possession of the honour is not certain: it appears by the charter itself that at the date of it he had been some time in possession; if it were given up to him when he was 20 years old, in 1186, which is probable, the date 1188 which I have hazarded cannot be far from the truth.

## IV.

### CHARTER OF \*CONFIRMATION, 1 MAY 11 HEN' III.

i' e' 1227.

**H**enry by the grace of God king of England, lord of Ireland, duke of Normandy and Aquitaine and earl of Anjou, to his archbishops, bishops, abbots, priors, earls, barons, justices, officers of the forests, sheriffs, provosts, officers, and all his bailiffs and faithful men, sendeth health. **Know ye**, that we have inspected the charter of Henry king of England our grandfather, in these words: Henry k' of England, &c. &c. [*here follows the charter of*

### IV. *Carta Confirmationis regis Henrici tertii Maii 1, a' r' 11,*

i' e' 1227.

**H**enicus Dei gratiā, rex Angliæ, dominus Hiberniæ, dux Normaniæ et Aquitaniæ et comes Andegaviæ, archiepiscopis, episcopis, abbatibus, prioribus, comitibus, justiciariis, for', vice-comitibus, præpositis, ministris et omnibus ballivis et fidelibus suis salutem. **Sciatis**, quòd i' inspeximus Cartam Henrici regis Angliæ avi nostri in hæc verba: Henricus rex Angliæ, &c. &c.

(\*) *Confirmation.*] The frequent confirmation of charters from Magna Charta to that of the most insignificant borough, was occasioned by a doubt (which seems to have been entertained in other governments of Europe) whether the reigning monarch was bound by the acts of his predecessor.

(1) *Inspeximus.*] This is the first example which our charters afford of a literal copy of a preceding charter by *inspeximus*: the 36 Hen' 3 is an example of the other manner of reciting the substance of a former charter; after which 13 Edw' 1, c' 6, orders that every exemplification *de verbo ad verbum, sine additione, mutatione, transmutatione, vel aliquâ diminutione scribatur* Ap' Blackst' Mag' Ch' introd' p' lxx. In the French charters the word *vidimus* is used and only the substance recited.

(2) *We.*] King John was the first of the kings of England (as Sir Edw' Coke observes) who in his grants wrote in the plural number: 'other kings before him wrote in the singular number: they used *ego*, and king John and all the kings after him *nos*.' 2 Inst' p' 2. This may be an argument against the authenticity of the Conqueror's charter, wherein the plural *statuimus, volumus, &c.* are frequent. The reason of this use of the plural, was perhaps that they might communicate the merit or responsibility of their acts to their privy-council; or perhaps it might be from the same notions of refinement which introduced the use of *vos* instead of *tu*.



Henry 2, anno 1164.] <sup>2</sup> **We** therefore, ratifying and approving of this grant and these acquittances granted to them, do for ourselves and our heirs confirm them. **These** being witnesses; the lords <sup>3</sup> Joceline bishop of Bath, and <sup>4</sup> Richard bishop of Salisbury; <sup>5</sup> Hubert de Burgh, earl of Kent, our justiciary; <sup>6</sup> William the Marshall, earl of Pembroke; Ralph Fitznicholas, and Richard de Argent, our stewards; Henry de Capell, and others. <sup>7</sup> **Given** by the hands of the venerable father <sup>8</sup> Ralph, bishop of Chichester, our chancellor at Westminster, the first day of May, in the eleventh year of our reign.

**Pos igitur** hanc concessionem et has quietantias et concessiones [*lege eis concessas*] ratas et gratas habentes, eas pro nobis et hæredibus nostris confirmamus. **His** testibus: Dominis Jocelino, Bathoniensi, et Ricardo Sarisburiensi Episcopis; Huberto de Burgo, Comite Kant', Justiciario nostro; Willelmo Marr', Comite Pembrok'; Radulpho, filio Nicholai, et Ricardo de Argent, Seneschallis nostris; Henerico de Capell, et aliis. **Datum** per manus venerabilis Patris Radulphi Cicestreensis Episcopi, Cancellarii nostri. Apud Westmonast', primo die Maii, anno regni nostri undecimo.

(3) *Joceline*] Joceline de Welles, who continued bishop of Bath nearly 40 years.

(4) *Richard bishop of Salisb'.*] Richard Poore.

(5) *Hubert de Burgh*] Chief Justiciary of the kingdom, who had married Haweis, daughter of William, earl of Gloucester, the repudiated wife of the late k' John. After having acted bravely and faithfully at the beginning of this reign, he was at this time the king's favourite and a very oppressive minister. He had been made earl of Kent only in this same year.

(6) *Wm. the Marshall.*] He was the son of William, Earl

of Pembroke, who also was Marshall of England, and had been the king's guardian during his minority, and Regent of the kingdom.

(7) This charter of confirmation was probably purchased by a sum of money. For the king in the latter part of the preceding year had ordered most of the corporate towns to renew their charters for the purpose of raising money. He was at this time nearly 20 years old.

(8) *Ralph, bish' of Ch'.*] Ralph de Neville, bishop of Chichester, was made Chancellor for life by the Parliament in 1226.

## V.

### CHARTER OF KING HENRY THE THIRD.

DATED JULY 28, 31 HEN' 3, i' e' 1247.

Redcliffe  
joined to Bris-  
tol.

**Henry**, by the grace of God king of England, lord of Ireland, duke of Normandy and Aquitaine, and earl of Anjou, to his archbishops, bishops, abbots, priors, earls, barons, justices, sheriffs, provosts, officers, and all his bailiffs and faithful men, sendeth health. **Know ye**, that we have granted for us and our burgesses of <sup>1</sup>Redclive in the suburb of Bristol, that they shall for ever <sup>2</sup>answer with our burgesses of Bristol before our justices, as our said burgesses of Bristol answer and where they answer, and not elsewhere. **Wherefore** we will and firmly enjoin for us and our heirs, that our said burgesses of Redclive in the suburbs of Bristol shall for ever answer with our burgesses of Bristol before

#### V. *Charta 31 Hen' 3, i' e' 1247.*

**Henricus**, Dei gratiâ rex Angliæ, dominus Hiberniæ, dux Normaniæ et Aquitaniæ et comes Andegaviæ, archiepiscopis, episcopis, abbatibus, prioribus, comitibus, baronibus, justiciariis, vicecomitibus, præpositis, ministris, et omnibus ballivis et fidelibus suis salutem. **Sciatis** nos concessisse pro nobis et hæredibus nostris burgensibus nostris de la Redclive in suburbio Bristoll', quod in perpetuum respondeant cum burgensibus nostris Bristoll' coram justiciariis nostris, sicut dicti burgenses nostri de Bristoll' respondent, et ubi respondent, et non alibi. **Quare** volumus et firmiter præcipimus pro nobis et hæredibus nostris, quòd prædicti burgenses nostri de la Redclive in suburbiis Bristoll' in perpetuum respondeant cum burgensibus nostris Bristoll' coram justiciariis nostris, sicut dicti burgenses nostri de Bristoll' respondent, et ubi

(1) *Redclive.*] This was the first step towards the incorporation of Redcliffe with Bristol, which before was a separate burgh.

(2) *Answer.*] That is, *shall sue and be sued.*

our justices, as our said burgesses of Bristol answer, and where they answer, and not elsewhere, as is aforesaid. **These** being witnesses :  
<sup>3</sup> Richard, earl of Cornwall, our brother ; Richard de Clare, earl of Glouc' and Hertford ; John Maunsel, provost of Beverley ; Warren de Mounthaves ; Ralph Fitznicholas ; Richard de Grey ; John de Grey, justice of Chester ; Pauline Paynre ; Robert de Musgross ; William de Bellemont ; Robert de Noryes ; and others. **Given** by our hand at <sup>4</sup> Woodstock the 28th day of July in the 31st year of our reign.

respondent, et non alibi, sicut prædictum est. **Hic** testibus : Richardo, comite Cornubiæ, fratre nostro ; Ricardo de Clara, comite de Glouc' et Hertford ; Johanne Maunsel, præposito Beverlaci ; Warino de Mounthaves ; Radulpho filio Nicholai ; Rich' de Grey ; Johanne de Grey, Justiciario Cestriæ ; Paulino Paynre ; Roberto de Musgross ; Willelmo de Bellemont ; Roberto de Noryes ; et aliis. **Datum** per manum nostram apud Woodstock' vicesimo octavo die Julii anno regni nostri tricesimo primo.

(3) *Rich' E' of Cornwall*] Second son of the late king John ; afterwards elected king of the Romans.

(4) *Woodstock.*] The Parliament being assembled at Oxford, might be the reason why the king was at this time resident at Woodstock.

## VI.

### CHARTER OF CONFIRMATION DATED 17 AUG'

36 HEN' III. i' e' 1252.

**Henry** by the grace of God king of England, lord of Ireland, duke of Normandy and Aquitain and earl of Anjou, to his archbishops, bishops, abbots, priors, earls, barons, justices, sheriffs, provosts, officers, and all his bailiffs and faithful men, [sendeth] health. **Know ye**, that we have granted and by this our charter have confirmed for us and our heirs certain liberties granted to our burgesses of Bristol and their heirs for ever by the lord king John our father, while he was earl of Morton, by his charter made to them thereupon; viz. <sup>1</sup>**That no** burgess of Bristol shall plead or be impleaded of any plea without the walls of the town of Bristol, except pleas of foreign tenures which do not belong to the hundred of the town. **Also that** they shall be

### VI. *Carta de Confirmatione 36 Hen' 3, i' e' 1252.*

**Henricus** Dei gratiâ Rex Angliæ, Dominus Hiberniæ, dux Normanïæ et Aquitaniæ, et Comes Andagaviæ, archiepiscopis, episcopis, abbatibus, prioribus, comitibus, baronibus, justiciariis, vicecomitibus, præpositis, ministris, et omnibus ballivis et fidelibus suis salutem. **Sciatis** nos concessisse et hâc cartâ nostrâ confirmasse pro nobis et hæredibus nostris quasdam libertates concessas burgensibus nostris de Bristoll' et hæredibus suis in perpetuum a Domino Johanne Rege patre nostro, dum fuit Comes Morton' per cartam suam eis inde confectam; viz. **Quod** nullus burgensis Bristoll' placitet seu placitetur de ullo placito extra muros villæ Bristoll' præter placita de exterioribus ten' quæ non pertinent ad hundredum villæ. **Item quod** sint quieti de murdro infra

(1) *Viz.* That no burgess.] See the note (2) in the charter of 1188.

quit of murder within the bounds of the town. **Also that** no burgess shall wage battle unless he shall be appealed of the death of a stranger, who was not of the town, and who had been killed in the town. **Also that** no burgess shall be amerced to a penalty of money, but according to the law of the hundred, that is, to the sum of twenty shillings. **Also that** no burgess shall be hindered in any plea by miskenning. **Also that** the hundred-court of Bristol shall be held only once in the week. **Also that** they shall justly hold their lands and tenures, and all their mortgages and debts due to them. **And that** with regard to their lands and tenures within the town, they shall be justly held by them according to the custom of the town. **And as to** the debts which have been lent in Bristol, and the pledges which have been given in the same place, that pleas shall be held in the town. **And if** any one any where in the land shall unjustly have taken toll of the men of Bristol, and shall not restore it after he has been required to restore it, the Prepositor of Bristol may take a distress for it at Bristol, and force him to restore it. **And that** no stranger-tradesman shall buy leather, corn, wool or other goods from a stranger within the town, but only from the burgesses of the same town. **And that** no stranger-tradesman shall have a tavern except in

40. folio 7

metas villæ. **Item** quòd nullus burgensis faciat duellum, nisi appellatus fuerit de morte exterioris hominis, qui non fuerat de villà et qui occisus fuerit in villà. **Item** quòd nullus burgensis amercietur ad pœnam pecuniarum, nisi secundum legem hundredi, scilicet, ad summam viginti solidorum. **Item** quòd nullus burgensis possit occasionari in ullo placito per meskenynge. **Item** quòd hundredum Bristoll' tantum semel teneatur in septimanà. **Item** quòd justè habeant terras et tenuras suas et vada et debita sua quæcunque, eis debita. **Et quod** de terris et tenuris suis, quæ infra villam sunt, rectè eis teneantur secundum consuetudinem villæ. **Et quod** de debitis quæ accommodata fuerint in Bristoll', et de vadimoniis ibidem datis placita in villà teneantur. **Et si** aliquis alicubi in terrà injustè ceperit theoloneum de hominibus Bristoll'ia, et non reddiderit, postquam requisitus fuerit reddere, Præpositus Bristoll'ia capiat pro eo namium. apud Bristoll' et distringat reddere. **Et quod** nullus extraneus mercator emat infra villam de homine extraneo coria, blada, lanam, vel alias merchandizas, nisi de burgensibus ejusdem villæ. **Et quod** nullus extraneus mercator habeat tavernam nisi in navi, nec vendat pannum scindendum nisi in nundinis. **Et quod** nullus extraneus mercator moretur in villà

a ship, and shall not sell cloth to be cut except at the fair. **And that** no stranger-tradesman shall tarry in the town with his wares for the purpose of selling them beyond forty days. **And that** they shall be able to marry themselves, and their sons, and their daughters and their widows without the licence of their lords. **And that** none of their lords on account of their foreign lands shall have wardship or marriage of their sons and daughters or widows, but only the wardship of their tenements which are of their fee, until they have completed their lawful age. **And that** no one shall take tyne, but for the use of the lord, and this according to the custom of the town, viz. that the tyne shall contain twenty-four gallons, and where it is not taken, two pence shall be given to us for the said tyne. **And that** they shall be empowered to grind their corn wherever they shall choose. **And that** they shall have all their reasonable guilds. **And that** a burgess shall not be obliged to bayl any one unless he be entirely willing, altho' he may be abiding on his land. **And that** they shall hold all their lands and tenures within the walls and without as far as the bounds of Bristol, in messuages, copses, and buildings on the water and elsewhere, wheresoever they shall be, in the town, to be held in free burgage, that is, by land-gable service which they shall pay within the walls. **Also the** bounds of the town are between Sandbrooke and Bewell and Brightnee-bridge and the spring in the way near Aldbrough and Knoll. **And that** any one

cum mercibus suis ad eas vendendas ultra quadraginta dies. **Et quod** possint maritare se et filios et filias suas et viduas sine licentiâ dominorum suorum. **Et quod** nullus dominorum suorum propter forinsecas terras suas habeat custodiam vel maritagium filiorum et filiarum suarum aut viduarum, nisi tantum custodiam tenementorum suorum, quæ sunt de feodo suo, donec ætatem legitimam compleverint. **Et quod** nullus capiat tynam, nisi ad opus domini, et hoc secundum consuetudinem villæ; scilicet, quod tyna contineat viginti et quatuor gallonas, et ubi capta non est, dentur nobis duo denarii pro dictâ tynâ. **Et quod** possint molere blada sua ubicunque voluerint. **Et quod** habeant omnes rationabiles gildas suas. **Et quod** burgensis ne cogatur replegiare aliquem, nisi benè voluerit, quamvis maneat super terram suam. **Et quod** teneant omnes terras et tenuras suas infra muros et extra usque ad metas Bristollie in messuagiis, virgultis, ædificiis super aquam et alibi, ubicunque fuerint in villâ, tenendas in liberum burgagium, scilicet per servitium landgabul', quod reddant infra muros. **Sunt etiam** metæ villæ inter Sandbrooke et Bewell et Britchenbrigge et fontem in itinere juxta Aldbr' et Knoll.

of them shall be empowered to make improvements as much as he can in making buildings on the banks and elsewhere, [so it be] without damage of the borough and town. **And that** they may have and possess all void lands and places which are contained within the aforesaid bounds, to be built on at their pleasure. **We have** granted moreover to the same burgesses, adding to the aforesaid liberties, that none of them for the future shall be molested by any justice of ours of the forest, or by any other our bailiff, for <sup>1</sup> venison found within the walls of the same town. **Wherefore** we will and strictly order, for ourselves and our heirs, that the aforesaid burgesses of Bristol and their heirs may have and hold for ever all the aforesaid lands and liberties with the free customs above mentioned, as the said charter of the lord king John our father, while he was earl of Morton, which they have to that effect and this our charter do reasonably testify, and with the addition of the aforesaid liberty concerning venison found within the walls of the same town, as is aforesaid. **These** being witnesses: the venerable fathers <sup>2</sup> William, bishop of Bath and Wells; and <sup>3</sup> A' bishop of

Burgesses shall not be molested on account of venison.

Repetition.

**Et quod** quilibet eorum possit se emendare quantum poterit in ædificiis faciendis super ripas et alibi sine damno burgi et villæ. **Et quod** habeant et possideant omnes terras vacuas et placeas, quæ infra prædictas metas continentur ad voluntatem suam ædificandas. **Concessimus** insuper iisdem burgensibus adjicientes libertatibus prædictis, quòd nullus eorum de cetero occasionetur ab aliquo justiciario nostro forestæ vel alio ballivo nostro pro venatione inventâ infra muros ejusdem villæ. **Quare** volumus et firmiter præcipimus pro nobis et hæredibus nostris, quod prædicti burgenses Bristolliaë et hæredes sui habeant et teneant in perpetuum omnes terras et libertates prædictas cum liberis consuetudinibus supradictis, sicut carta prædicta domini Johannis regis patris nostri, dum fuit comes Morton', quam inde habeant, et hæc carta nostra ratio nabiliter testantur; et cum additione prædictæ libertatis de venatione inventâ infra muros ejusdem villæ, sicut prædictum est. **His** testibus: Venerabilibus Patribus Willelmo Bathon' et Wellen' episcopo, et A. Winton' elect'; Ricardo de Clare, comite Glouc' et Hertford'; Galfrido de Lezman, et

(2) *Venison.*] The forest of Kingswood being within a mile of the town, and in that age abounding with deer, it may reasonably be supposed, that it was no unusual thing for the townsmen to take or to buy the king's venison.

(3) *William, bishop of Bath.*] This was William Button or Bitton, lord chancellor and treasurer.

(4) *Bishop of Winch'.*] The person meant is Athelmar, or Ethelmar, or Adomar, the younger of the king's half-brothers mentioned in the next note. He was elected by the chapter in 1250 or 1251 (not in 1260, as misprinted in Godwin, and thence copied into the Summary of Tindall's Rapiu) at the king's earnest and personal solicitation and threats; a man wholly unworthy of such a station, being

Winchester elect; Richard de Clare, earl of Glouc' and Hertford; <sup>1</sup>Geoffrey de <sup>2</sup>Lezman and <sup>1</sup>William de Valence, our brothers; Ralph Fitznicholas; <sup>3</sup>John Maunsell, provost of Beverley; Bartram de Criell; Master William de <sup>4</sup>Kilkenny, archdeacon of Coventry; Geoffrey de Langel; Robert de Musgros; Robert Walerand; <sup>5</sup>Ralph de St. Maner; Ralph de Bakepus; Roger de Lockington; Robert de Noryes; and others. **Given** by our hand, at Woodstock, on the 17th day of August, in the 36th year of our reign.

5

Willelmo de Valenciá, fratribus nostris; Radulpho, filio Nicholai; Johanne Mauncell, præposito Beverl'; Bartramo de Criell; Magistro Willelmo de Kilkenny, archidiacono Coventr'; Galfrido de Langel; Roberto de Musgros; Roberto Walerand; Radulpho de Sancto Manerio; Radulpho de Bakepus; Rogero de Lockington; Roberto de Noryes; et aliis. **Datum** per manum nostram apud Woodstock decimo septimo die Augusti, anno regni nostri tricesimo sexto.

only 23 years old, of no higher order than that of Acolyth, and of a very immoral character. Being already possessed of ecclesiastical revenues as great as those of the Archbishopric of Canterbury, in order to avoid resigning them he refused to be consecrated bishop of Winch'; on which account he is always called *bishop elect*: thus for nine years he continued to receive the income of the bishopric of Winch' in addition to that of his former benefices, till he was driven out of England by the universal indignation of the people.

(5 5) *Geof' de Lezman and Wm. de Val.'*] These as well as Athelmar last mentioned were the king's half-brothers; for the king's mother, Isabella, widow of king John, was married to her former lover Hugh de Brun, earl of Marche, and lord of Lusignan and Valence in Poitou; by whom she had among other children these three sons.

(6) *Lezman.*] His name is written variously, even in contemporary writings, *Lezman, Lezignan, Lexingam, Lexignun*. Rapin calls him *Guy de Lusignan*. He is also sometimes called *Guido*, and sometimes *Galfridus*, even in original writings. See his name in the Index Calend' Rotul' Patent'; and see the Charter of 1256. The variation in the spelling of the name of the same person continued to very modern

times. The name of the editor of the Statutes *Rastall* is sometimes printed *Rastal*, sometimes *Rastel*, under his own inspection. The name of *Villers* is said to have been spelled fourteen different ways in the family deeds. *Fuller's Worthies*, p' 51.

(7) *John Mauncell*] 'Mansell, one of his [k' Hen' the Third's] favourites, a clergyman, enjoyed no less than 700 ecclesiastical preferments at once, which brought him in yearly 4000 marks.' *Rapin*.

(8) *Will' de Kilkenny.*] Rapin says, that about 1250, the king delivered the great seal to Wm. de Kilkenny. But had he been either Chancellor or Keeper at the date of these presents, it is not likely that his title would have been omitted: his appointment therefore probably took place after Aug' 1252. He was removed from it in 1254, and was afterwards Bishop of Ely.

(9) *The Date.*] The king was at this time raising money from his subjects under pretence of an expedition to the Holy-land. This charter was probably granted in return for some pecuniary aid afforded by the town for that purpose.



## VII.

### CHARTER DATED 24 JULY 40 HEN' III. i' e' 1256.

**Henry**, by the grace of God king of England, lord of Ireland, duke of Normandy and Aquitaine and earl of Anjou, to his archbishops, bishops, abbots, priors, earls, barons, justices, sheriffs, provosts, officers, and all his bailiffs and faithful men, sendeth health. **Know ye**, that we have granted and by this our charter have confirmed for us and our heirs to the burgesses of Bristol, that they and their heirs burgesses of the same town shall be empowered out of themselves to choose and create a coroner in the town aforesaid, for the purpose of making <sup>1</sup>attachments of pleas of our crown arising within the aforesaid town and the liberties of the

Power to  
choose a  
coroner.

### VII. *Carta 40 Hen' 3, 1256.*

**Henricus** Dei gratiâ rex Angliæ, dominus Hiberniæ, dux Normaniæ et Aquitaniæ, et comes Andegaviæ, archiepiscopis, episcopis, abbatibus, prioribus, comitibus, baronibus, justiciariis, vicecomitibus, præpositis, ministris, et omnibus ballivis et fidelibus suis, salutem. **Sciatis** nos concessisse et hâc cartâ nostrâ confirmasse pro nobis et hæredibus nostris burgensibus de Bristoll', quòd ipsi et eorum hæredes burgenses ejusdem villæ de seipsis eligere possint et creare coronatorem in prædictâ villâ, ad attachiamenta placitorum coronæ nostræ infra prædictam villam et libertates

(1) *To attach a plea* seems to be to take it up for the purpose of presenting it to the proper court. The same expression occurs in k' John's charter of the forests, § 17. *Nullus castellanus vel alius teneat placitum de forestâ sive de viridi sive de venatione; sed quilibet forestarius de feodo attachiet placita de forestâ tam de viridi quàm de venatione et ea præsentet viridarius provinciarum.* By Magna Charta § 29 it is or-

dered that no sheriff, constable, coroner or bailiff of the king shall hold pleas of the crown; whereas before, coroners not only received accusations, but tried them. Afterwards by stat' Westm' 1, 3 Edw' 1, cap' 10, it is enacted that coroners shall lawfully attach and present pleas of the crown. It seems therefore that this liberty was granted to the coroner of Bristol about 20 years before it was made general.

same town; and that they shall answer before our justices, itinerant in those parts, concerning the attachments made by them, and concerning the other things which relate to the office of coroner, as our other coroners ought and use to answer. **And that** the said burgesses for the trespasses and forfeitures of their servants shall not lose their chattels and goods found in their hands or deposited in any place by those servants, so far as they shall be able sufficiently to prove them to be theirs. **And also** if the said burgesses or any of them shall die within our land and power, having made a will or <sup>3</sup>not having made a will, we or our heirs will not cause their goods to be confiscated, but their heirs shall fully enjoy them, so far as it shall appear that the said chattels belonged to the said deceased; nevertheless so that knowledge and trust be sufficiently had of the said heirs. **And that** the same burgesses shall have and hold through all our land and power, all their liber-

Burgesses shall not forfeit their goods for the faults of their servants.

Goods of Intestates shall not be confiscated.

They shall have their liberties as free as in London.

ejusdem villæ emergentium facienda; et <sup>2</sup>respondeant coram justic' nostris itinerantibus in partibus illis, de attachamentis per <sup>2</sup>ipsos factis, et aliis ad officium coronatoris pertinentibus, sicut alii coronatores nostri respondere debent et solent. **Et quod** dicti burgenses pro transgressionibus seu forisfacturis servientium suorum catalla et bona sua in manibus ipsorum inventa aut alicubi locorum per ipsos servientes deposita, quatenus sua esse sufficienter probare poterunt, non amittant. **Et etiam** si dicti burgenses aut eorum aliqui infra terram et potestatem nostram testati decesserunt vel intestati, nos vel hæredes nostri bona ipsorum confiscari non faciemus, quin eorum hæredes integre ipsa habeant, quatenus dicta catalla dictorum defunctorum fuisse constiterit; dum tamen de dictis hæredibus notitia aut fides sufficienter habeatur. **Et quod** iidem burgenses per totam terram et potestatem nostram habeant et teneant omnes libertates et liberas consuetudines suas hucus-

(2) (2) *Respondeant...ipsos.*] The grammatical construction requires *respondeat...ipsum*; but as the meaning is sufficiently intelligible, I have made no alteration.

(3) *Prynne* (on 4 Inst' p' 232) writes thus, 'It is evident by the charter of k' Hen' 1, Glanvil, and other authorities, that by the ancient law and custom of England the goods of all persons dying intestate were seized into the king's or their lord's hands as belonging to them, and that the ordinaries had no jurisdiction over them.' If the kings ever had this right, it was probably only as administrators; but, however, it was renounced by the charter of Henry 1, in 1100 cited above; so that Matthew Paris writes (under

1190) that the goods of intestates were distributed by ecclesiastical authority. But it should seem that our kings notwithstanding did sometimes exercise this oppressive right; otherwise why should the renunciation of it be granted as a privilege to the burgesses of Bristol in 1256? In fine, the goods of intestates were committed to the ordinary by statute, Westm' 2, 13 Edw' 1 (1295), which it might be supposed would have set the matter at rest: and yet after all, as late as 1330 (as appears by what *Prynne* well calls a memorable record) the goods of a burgess of Bristol were seized to the king's use, because he was supposed to have died intestate. I shall give the case more at large in another place.

ties and free customs hitherto obtained and used, as quietly and fully as the citizens of London or others of our realm and power have and hold their liberties, or better and more freely.

**We have** granted also to the said burgesses, that if they have not fully used any articles contained in the <sup>4</sup>said charter of liberties heretofore granted to the same burgesses, they may notwithstanding use the same for the future freely and without hindrance of any one, as the same articles are reasonably contained in the <sup>4</sup>same charter.

**Wherefore** we will and strictly order, for us and Confirmation. our heirs, that the said burgesses and their heirs shall for ever have all the liberties written above, and shall use them hereafter for ever freely and without hindrance of any one, as is aforesaid: and we forbid, on forfeiture of twenty pounds, any one from presuming to On forfeiture of 20 pounds. molest or disturb them contrary to this our liberty and grant.

**These** being witnesses: Guy de Lezuman and William de Wallence, our brothers; John de Plessett, earl of Warwick; Roger de Thirkelbey; Robert de Wallerand; Walkelin de Arderen; Nicholas de St. Maure; Ralph de Babcup; Bartholomew de

que obtentas et usitatas, adeò quietè et intègrè sicut cives de London' vel alii de regno et potestate nostrà libertates suas melius et liberius habent et tenent. **Concessimus** etiam eisdem burgensibus, quòd si aliquibus articulis in dicta carta eisdem burgensibus de libertatibus prius concessà contentis minus plenè usi fuere, eisdem de ceterò eo non obstante liberè et sine impedimento alicujus utantur, prout iidem articuli in eàdem carta rationabiliter continentur. **Quare** volumus et firmiter præcipimus pro nobis et hæredibus nostris, quòd prædicti burgenses et eorum hæredes in perpetuum habeant omnes libertates præscriptas, et eis de cetero liberè et sine impedimento alicujus utantur in perpetuum, sicut prædictum est: et prohibemus super foris facturam viginti librarum, nequis eos contra hanc libertatem et concessionem nostram molestare vel inquietare præsumat. **His** testibus; Guydon' de Lezuman et Willelmo de Wallence, fratribus nostris; Johanne de Plessett, comite Warwick'; Rogero de Thirkelbey; Roberto de Wallerand; Walkelino de Arderen;

(4) (4) *Said charter.....same charter.*] So it is in the Bodl' MS. and in the two translations, and therefore probably it is so in the original of Charles 2. But as no other charter

has yet been mentioned, it is manifest that there is some confusion or omission in Charles the Second's recital of this charter.

**Carta 40 Hen' 3, 1256.**

Bigod; William de St. Jormin; William Gemini; and others.  
**Given** by our hands at Gloucester, on the 24th day of July, in  
the 40th year of our reign.

Nicholao de Sancto Maure; Radulpho de Babcup; Bartholo' de Bigod; Willelmo de Sancto  
Jormin; Willelmo Gemini, et aliis. **Datum** per manum nostram apud Glouc' vicesimo quarto  
die Julii anno regni nostri quadragesimo.

## VIII.

### CHARTER DATED 28 MARCH, 28 EDW' I. i' e' 1300.

**Edward**, by the grace of God king of England, lord of Ireland, and duke of Aquitaine, to his archbishops, bishops, abbots, priors, earls, justices, sheriffs, provosts, officers, and all his bailiffs and faithful men, sends health. **We have** inspected the charter which John of good memory, earl of Morton, made to his burgesses of Bristol dwelling within the walls and without as far as the boundary of the town of Bristol in these words: John, earl of Morton, &c. &c. [*here follows the charter of earl John q' v' p' 5*] **We have** inspected also the charter of confirmation, which the lord Henry of most famous memory late king of England, our father, made to the burgesses aforesaid in these words: Henry by the grace of God king of England, &c. &c. [*here follows the charter 11 Hen' 3, q' v' p' 12*] **We have** also inspected the charter which our said father in like manner made to the said burgesses of Bristol

### VIII. *Carta 28 Edw' 1, 1300.*

**Edwardus** Dei gratiâ rex Angliæ, dominus Hiberniæ et dux Aquitaniæ, archiepiscopis, episcopis, abbatibus, prioribus, comitibus, justiciariis, vicecomitibus, præpositis, ministris et omnibus ballivis, et fidelibus suis salutem. **Insuperimus** cartam, quam bonæ memoriæ Johannes, comes Moreton', fecit burgensibus suis de Bristoll' infra muros et extra manentibus usque ad metam villæ Bristoll' in hæc verba: Johannes comes Moreton', &c. &c. **Insuperimus** etiam cartam confirmationis, quam celeberrimæ memoriæ dominus Henricus quondam rex Angliæ pater noster fecit prædictis burgensibus in hæc verba: Henricus Dei gratiâ rex Angliæ, &c. &c. **Insuperimus** etiam cartam quam prædictus pater noster similiter fecit prædictis burgensibus in hæc verba: Henricus Dei gratiâ rex Angliæ, &c. &c. **Insuperimus** etiam quandam aliam

in these words: Henry by the grace of God king of England, &c. &c. [*here follows the charter 36 Hen' 3 q' v' p' 16.*] **We** have inspected also a certain other charter, which the same our father made in like manner to the burgesses aforesaid, in these words: Henry by the grace of God, &c. &c. [*here follows the charter 40 Hen' 3, q' v' p' 21.*] **But** we ratifying and approving of the grants and confirmations aforesaid, do, as far as in us lies, for us and our heirs grant and confirm them to the said burgesses and their heirs, as the charters aforesaid reasonably testify. **Moreover** we have granted to the said burgesses, for us and our heirs, that they and their successors, burgesses of the same town, shall be for ever quit of <sup>1</sup>murage, <sup>2</sup>stallage and <sup>3</sup>pannage through our whole realm and power. **And that** they and their successors aforesaid, as often as and whensoever they shall choose their Mayor in the town aforesaid (the time of war alone excepted) shall present him to the constable of our castle of the same town, who for the time shall be, who shall admit him as the custom is, and as such mayors of the same town heretofore used to be presented and admitted at our exchequer, and shall certify thereof at the expence of the same burgesses to our trea-

Confirmation.

Burgesses exempt from murage, stallage and pannage.

Mayor to be presented to the constable.

cartam, quam idem pater noster similiter fecit præfatis burgensibus in hæc verba: Henericus Dei gratiâ, &c. &c. **Nos autem** concessiones et confirmationes prædictas ratas habentes et gratas eas pro nobis et hæredibus nostris prædictis burgensibus et successoribus suis burgensibus ejusdem villæ, quantum in nobis est, concedimus et confirmamus, sicut cartæ prædictæ rationabiliter testantur. **Praeterea** concessimus iisdem burgensibus pro nobis et hæredibus nostris, quòd ipsi et successores sui burgenses ejusdem villæ in perpetuum sint quieti de muragio, stallagio, et pannagio per totum regnum nostrum et potestatem nostram. **Et quod** ipsi et successores sui prædicti quotiescunque et quandocunque Majorem suum elegerint in villâ prædictâ (tempore guerræ duntaxat excepto,) ipsum Constabulario castri nostri ejusdem villæ, qui pro tempore fuerit, præsentent, qui ipsum, prout moris est, admittat, et prout hujusmodi Majores ejusdem villæ ad Scaccarium nostrum prius præsentari consueverunt et admitti; et sumptibus eorundem burgensium inde certificet The-

(1) *Murage*.] A toll paid by every loaded beast or carriage coming into a walled town, and applied to the repairing and maintaining the walls. 'A prescription to have toll for 'murage is good, because it is to repair the walls of a vill, ' whereto the people may flee in time of war.' Cro' Eliz' 711.

(2) *Stallage* ] A fee paid for setting up a stall in a market or fair.

(3) *Pannage*] is the feeding of swine, &c: on acorns and other wild fruits in the woods and forests: and it signifies also the money paid to the king or other lord for the liberty of doing this; in which latter sense it is here used.

surer and our barons of the exchequer aforesaid. **These** being witnesses: the venerable fathers <sup>4</sup>R' archbishop of Canterb', primate of all England; <sup>5</sup>R' bishop of London; <sup>6</sup>W' bishop of Coventry and Litchfield; and <sup>7</sup>S' bishop of Salisbury; <sup>8</sup>John de Warren, earl of Surry; Roger de Bigod, earl of Norfolk and marshall of England; Henry de Lacy, earl of Lincoln; Guy de Beauchamp, earl of Warwick; John de <sup>9</sup>Landgrave; <sup>10</sup>Hugh de Dispencer; Walter de Beauchamp, <sup>11</sup>steward of our household; <sup>12</sup>Roger le Brabanson; <sup>13</sup>William de Bedford; <sup>14</sup>William Howard; and others. **Given** by our hand at Westminster, on the 28th day of March in the 28th year of our reign.

sauro nostro et Baronibus nostris de Scaccario supra dicto. **Dis** testibus: Venerabilibus Patribus R. Cantuar' archiepiscopo, totius Angliæ primat'; R. London'; W. Coventr' et Litchfield'; et S. Sarum', episcopis; Johanne de Warren, com' Surry; Rogero de Bigod, com' Norfolk', et Marischallo Angliæ; Henrico de Lacy, comite Lyncoln'; Guydon' de Bello Campo, com' Warw'; Johanne de Landgravo; Hugone de Dispencer; Waltero de Bello Campo, Seneschallo hospitii nostri; Rogero le Brabanson; Willelmo de Bedford; Willelmo Howard; et aliis. **Datum** per manum nostram apud Westmon' vicesimo octavo die Martii anno regni nostri vicesimo octavo.

(4) *R' Archb' of Cant'*] Robert Winchelsey.

(5) *R' Bishop of Lond'*] Richard de Gravesend.

(6) *W' Bish' of Cov'*] Walter de Langton, lord treasurer of England.

(7) *S' Bish' of Salisb.'*] Simon de Gaunt.

(8) *John de Warren*] The chief of this noble family was styled indifferently earl of Warren and Surry, or—de Warren, earl of Surry. Its history may be found in *Watson's Memoirs of the Earls of Warren and Surry*, 2 vol' 4to. The present witness is the 7th earl; the same who in 1280, being called before the king's justiciary to answer by what warrant he held his estates, drew an old rusty sword, and answered, 'by this instrument do I hold my lands, and by the same do I intend to defend them.'

(9) *John de Landgrave.*] In the former translat' he is called *John de Seagrave*.

(10) *Hugh de Dispencer,*] or *Hugh le Dispencer*, or *Hugh Dispencer*, or *Hugh Spencer*. There were four of this name,

who immediately succeeded each other. The present witness is the second of the four; he who was so well known in the next reign by the name of Hugh de Dispencer the father, created earl of Winchester in 1322, and barbarously hanged at Bristol in 1326.

(11) *Steward.*] The former translat' has *stewards*, in the plural.

(12) *Roger le Brabanson.*] Rogerus Brabazon or Brabazon, one of the justices ad placita coram rege in 1290, at a salary of £33. 6s. 8d. per ann'. In 1296 and 1310, he was C' J' of that court. In 1316, he was discharged on account of age, and was made one of the king's privy council. *Dugdale's Chronica Series, in his Orig' Judiciales*.

(13) *William de Bedford.*] William de Bereford in 1294 was one of the justices de banco. *Dugdale ubi supra*. This is probably the person here intended.

(14) *William Howard.*] William Haward was one of the justices ad assizas, &c. in 1293. William Howard was one of the justices de banco in 1297; *Dugdale ubi supra*.

## IX.

### CHARTER OF EDWARD II. DATED 17 FEB. 15 EDW' II.

i' e' 132½.

**Edward**, by the grace of God king of England, lord of Ireland, and duke of Aquitaine, to his archbishops, bishops, abbots, priors, earls, barons, justices, sheriffs, provosts, officers, and all his bailiffs and faithful men, sends health. **We have** inspected the charter of confirmation which the lord Edward of good memory, late king of England, our father, made to his burgesses of Bristol, in these words: Edward, by the grace of God, &c. &c. [*here follows the charter 28 Edw' 1, q' v' p' 25.*] **But we**, ratifying and approving of the grants and confirmations aforesaid, do for us and our heirs, as far as lies in our power, grant and confirm them to the aforesaid burgesses and their heirs and successors, as the said charter of confirmation reasonably testifies, and as the same burgesses and their predecessors, burgesses of the same town, have hitherto reasonably used and enjoyed the liberties and acquittances contained in the

### IX. *Carta 15 Edw' 2, 132½.*

**Edwardus**, Dei gratiā rex Angliæ, dominus Hiberniæ, et dux Aquitaniæ, archiepiscopis, episcopis, abbatibus, prioribus, comitibus, baronibus, justiciariis, vicecomitibus, præpositis, ministris, et omnibus ballivis et fidelibus suis, salutem. **Insuperimus** cartam confirmationis, quam bonæ memoriæ dominus Edwardus, quondam rex Angliæ, pater noster, fecit burgensibus suis de Bristoll' in hæc verba: Edwardus, Dei gratiā, &c. &c. **Hos autem** concessionones et confirmationes prædictas ratas habentes et gratas, eas pro nobis et hæredibus nostris, quantum in nobis est, præfatīs burgensibus et eorum hæredibus et successoribus concedimus et confirmamus, sicut dicta carta confirmationis rationabiliter testatur, et prout iidem burgenses et eorum



same charter. **These** being witnesses: <sup>1</sup>Edmund, earl of Kent, our very dear brother; John de Brittain, earl of Richmond; Edmund, earl of Arundel; Thomas Wake; John de St. John de Baseing; Ralph de Georges; Gilbert Petehey, steward of our household; and others. <sup>2</sup>**Given** by our hand at Gloucester the 17th day of February, in the 15th year of our reign.

antecessores burgenses ejusdem villæ libertatibus et quietanciis in eadem cartâ contentis hactenus usi sunt rationabiliter et gavisi. **His** testibus Edmundo, comite Kant', fratre nostro charissimo; Johanne de Brittain, comite Richmond'; Edmundo, comite Arundel'; Thomâ Wake; Johanne de Sancto Johanne de Baseing; Radulpho de Georges; Gilberto Petehey, seneschallo hospitii nostri; et aliis. **Datum** per manum nostram apud Glouc' decimo septimo die Februarii, anno regni nostri quinto decimo.

(1) *Edmund E' of Kent.*] He was the king's half-brother, being son of Edw' 1 by his second wife, Margaret of France.

(2) *Given.*] The King was at this time in arms against the rebellious Barons, about a month before the decisive battle of Burrow-bridge. At such a time it seems strange

that a mere charter of confirmation should be thought of. Probably the king being in force so near as Gloucester, money or other aid was sent to him from Bristol, and in return a confirmation of privileges might be requested and granted.

## X.

### CHARTER OF EDWARD III. DATED 16 OCT. 5 EDW' 3, i' e' 1331.

**Edward**, by the grace of God king of England, lord of Ireland, and duke of Aquitaine, to his archbishops, bishops, abbots, priors, earls, barons, justices, sheriffs, provosts, officers, and all his bailiffs and faithful men, sends health. **We have** inspected the charter, which the lord Henry of good memory, late king of England, our great-grandfather, made in these words: Henry, by the grace of God king of England, &c. &c. [*here follows the charter of 31 Hen' 3, q' v' p' 14*]. **We have** also inspected the charter of confirmation which the lord Edward of most famous memory, late king of England, our father, made to his burgesses of Bristol, in these words: Edward, by the grace of God king of England, &c. &c. [*here follows the charter 15 Edw' 2, vide p' 28*]. **But we**, ratifying and approving of the gifts,

#### X. *Carta 5 Edw' 3, 1331.*

**Edwardus**, Dei gratiâ rex Angliæ, dom' Hiberniæ, et dux Aquitaniæ, archiepiscopis, episcopis, abbatibus, prioribus, comitibus, baronibus, justiciariis, vicecomitibus, præpositis, ministris, et omnibus ballivis et fidelibus suis, salutem. **Insuperimus** cartam, quam bonæ memoriæ dominus Henricus, quondam rex Angliæ, avus noster fecit in hæc verba: Henricus Dei gratiâ rex Angliæ, &c. &c. **Insuperimus** etiam cartam confirmationis, quam celeberrimæ memoriæ dominus Edwardus nuper rex Angliæ, pater noster, fecit burgensibus suis de Bristoll' in hæc verba: Edwardus Dei gratiâ rex Angliæ, &c. &c. **Nos** autem donationes, conces-

grants and confirmations aforesaid do for ourselves and our heirs, as much as in us lieth, grant and confirm them to the said burgesses and their heirs and successors, as the charters aforesaid reasonably testify. **Moreover**, being willing to gratify the same burgesses in this respect, we have for us and our heirs especially granted to them, that although they or their ancestors or predecessors have hitherto not used any one or more liberties or acquittances in any case arising, contained in the said charters, nevertheless the same burgesses, their heirs and successors, shall for the future fully enjoy and use the liberties and acquittances aforesaid and any of them without molestation or hindrance of us or our heirs, our justices, eschaetors, sheriffs, coroners, or other bailiffs or officers whatever. **Moreover**, since (as we have understood) the lands and tenements, the goods and chattels of orphans and children who are under age in the same town and suburbs of the same (which according to the custom which has hitherto prevailed in the same town ought to be committed by the mayor of the same town to proper guardians, who may answer

Non-usage of liberties shall be no hindrance.

siones et confirmationes prædictas ratas habentes et gratas, eas pro nobis et hæredibus nostris, quantum in nobis est, prædictis burgensibus et eorum hæredibus et successoribus concedimus et confirmamus, prout cartæ prædictæ rationabiliter testantur. **Praeterea** volentes eisdem burgensibus gratiam in hac parte facere, specialiter concessimus eis pro nobis et hæredibus nostris, quòd licet ipsi vel eorum antecessores sive predecessores aliqua vel aliquibus libertatibus vel quietantiis in dictis cartis contentis aliquo casu emergentibus hactenus usi non fuerunt, iidem tamen burgenses, et eorum hæredes et successores libertatibus, et quietantiis prædictis, et earum quâlibet de cetero plenè gaudeant et utantur sine occasione, vel impedimento nostri vel hæredum nostrorum, justiciariorum, esceatorum, vicecom', coronat', aut aliorum ballivorum seu ministrorum quorumcunque. **Insuper** cum (ut intelleximus) terras [*lege terræ*] et tenementa, bona et catella orphanorum et puerorum in eadem villâ, et suburbiis ejusdem infra ætatem existentium, (quæ per majorem ejusdem villæ certis custodibus, qui inde dictis orphanis et pueris, cum ad legitimam ætatem suam pervenerint, respondeant, committi debeant secundum consuetu-

(1) *Of orphans.*] It appears hereby that the wardship of orphans in Bristol (which by the common law of feudal tenures belongs to the lords) was by the custom of the town, at least ever since the grant of Earl John's charter, but

probably long before, vested in the chief magistrate. The citizens of London had the same and more extensive rights, which are still exercised by the Mayor and Aldermen of that city;

Goods, &c. of  
orphans have  
been wasted  
by their guar-  
dians.

for them to the said orphans and children, when they shall come to lawful age) forasmuch as such guardians and their sureties have withdrawn themselves from the same town, and have alienated their lands and tenements in the same town and suburbs, and have not had any thing in the same place, from whence the justices were able at the due time to satisfy the orphans and children aforesaid of the goods and chattels by them so received; have been heretofore wasted and destroyed in various ways to the manifest loss and impoverishment of those orphans and children; We at the request of the said burgesses being willing to provide for the security of the said orphans and children by a seasonable remedy in this respect have granted for ourselves and our heirs and by this charter have confirmed to the same burgesses and their heirs and successors, that the mayor of the said town who shall be for the time for ever, shall be empowered to receive from all and singular persons to whom he shall so have committed the wardship of the lands and tenements, goods and chattels of such orphans and children, and from their sureties, recognizances of any sums of money to be paid to the orphans and children at fixed times; and at the suit and election of the said orphans and children, or of

dinem in eâdem villâ hactenus obtentam;) pro eo quod hujusmodi custodes et eorum <sup>2</sup>manu captores se ab eâdem villâ elongarunt, et terras et tenementa in eisdem villâ et suburbiis alienarunt, nec habuerunt ibidem unde justiciarii potuerint <sup>3</sup>ad satisfaciendum prædictis orphanis et pueris tempore debito de bonis et catellis per eos sic receptis, ante hæc tempora multipliciter devastata fuerint et deperdita, ad damnum et depauperationem ipsorum orphanorum et puerorum manifestam; Nos ad requisitionem dictorum burgensium volentes dictorum orphanorum et puerorum indemnitatem prospicere opportuno remedio ex hac parte, concessimus pro nobis et hæredibus nostris et hac cartâ confirmavimus eisdem burgensibus et eorum hæredibus et successoribus, quod major villæ prædictæ, qui pro tempore sit in perpetuum, recipere possit ab omnibus et singulis, quibus custodiam terrarum et tenementorum, bonorum et catellorum hujusmodi orphanorum et puerorum sic commiserit et eorum manucaptoribus recognitiones de quibuscunque pecuniarum

(2) *Manucaptores.*] Manucaptors or mainperners, i' e' sureties or securities. 'Manucaption, or mainprise, differs but little from bail.' Cowell.

(3) Some word seems here omitted, such as *levare*, *percipere*, or the like.

their executors, to levy the same sums of money so recognized on the lands and tenements, goods and chattels of the guardians and their sureties, being in the town and suburbs aforesaid, into whose soever hands those lands and tenements may have come; or to deliver to the same orphans and children or to their executors, as their freeholds or freehold, the moiety of the same lands and tenements together with those goods and chattels, as far as the said sums so recognized, according to the form of the statute published at Westminster concerning such recognizances. **Moreover**, whereas by inquisition taken by our beloved and faithful William Shareshall and Robert de Ashton by our command and returned into our chancery, it has been found that the said burgesses and their ancestors and predecessors, burgesses of the same town, from time of which there is no memory have always hitherto had view

summis ipsis orphanis et pueris certis hominis [*l'* temporibus] solvendis; et easdem pecuniarum summas sic recognitarum de terris et tenementis, bonis et catellis ipsorum custodum et manucaptorum suorum in villâ et suburbiis prædictis existentibus, ad sectam et electionem dictorum orphanorum et puerorum seu executorum suorum, ad quorumcunque manus terræ et tenementa illa devenerint, levare; seu medietatem terrarum et tenementorum eorundem unâ cum bonis et catallis illis usque ad dictas summas sic recognitas eisdem orphanis et pueris vel eorum executoribus liberare [*s* *supple* ut libera] tenementa vel liberum tenementum suum, juxta formam statuti de ejusmodi recognitionibus apud Westm' editi. **Praeterea** cum per inquisitionem per dilectos et fideles nostros Willelmum Shareshall et Robertum de Ashton de mandato nostro captam et in cancellariam nostram retornatam sit compertum quòd præfati burgenses et eorum antecessores et prædecessores burgenses ejusdem villæ à tempore quo non exstat memoria semper hactenus habuerant <sup>6</sup>visus franci plegii in villâ et suburbiis prædictis, cum omnibus ad

(4) *Hominis.*] This word, which is evidently wrong, I have altered to *temporibus*, because it is translated *times* in the old translation. The true reading may perhaps be *certis nominibus*, on certain conditions.

(5) The liberty here taken with the text by inserting the words *ut libera* will not appear violent to those who know how often in MSS. a word is absorbed by a similar word either before it or after it.

(6) *View of frank-pledge.*] *Frank-pledge* is the pledge or engagement or suretyship into which all freemen (during

the Saxon period, and for some ages after) were obliged to enter; by which they became mutually bound for each other's loyalty and good behaviour. The viewing or examining these frank-pledges (or mutual sureties) and the obliging every freeman to enter into some decenary or company for the above purpose, is called *the view of frank-pledge*, which was usually held by the sheriff or other officer of the king, or by the lord at the leet: but it appears by these presents, that the burgesses of Bristol had enjoyed from time immemorial view of frank-pledge in their own courts.

View of frank-pledge confirmed to the burgesses.

of frank-pledge in the town and suburbs aforesaid, together with all things appertaining to such view, of the men who dwell in the same town and suburbs; and [whereas] the same burgesses are fearful that at some future times they shall be molested or even impeached for the same, because hitherto they have not had any special warrant for it by any charter of any one of our progenitors; We, in return for the grateful duty which the same burgesses have hitherto paid to us and our progenitors and also for a fine which the same burgesses have agreed for with us, being willing to provide for their security in this behalf have granted for us and our heirs, and by this our charter have confirmed to our said burgesses, that they, their heirs and successors, burgesses of the same town shall for ever have view of frank-pledge in the town and suburbs aforesaid with all things belonging to such view of the men dwelling in the same town and suburbs; being unwilling that the same burgesses, their heirs and successors shall be hindered, molested in any respect or in any manner troubled by us or our heirs, our justices, or other our officers whatever on account of the aforesaid view in time past. **Wherefore** we will and strictly command for ourselves and our heirs, that the aforesaid burgesses, their heirs and successors, burgesses of the same town, shall for

hujusmodi visus pertinentibus de hominibus in eisdem villâ et suburbiis commorantibus, ac iidem burgenses pro eodem, quòd inde 7 [*dele per*] speciale warrantum per aliquam cartam alicujus progenitorum nostrorum hactenus non [*supple habent*] metuant se posse futuris temporibus occasionari ac etiam impetiri; nos pro grato obsequio quod iidem burgenses nobis et progenitoribus nostris hactenus impenderunt, necnon pro fine quem iidem burgenses fecerunt nobiscum, volentes eorum securitatem in hac parte providere, concessimus pro nobis et hæredibus nostris et hac cartâ nostrâ confirmavimus præfatis burgensibus, quod ipsi hæredes et successores sui burgenses ejusdem villæ habeant visus franci plegii in villâ et suburbiis prædictis cum omnibus ad hujusmodi visum pertinentibus de hominibus in eisdem villâ, et suburbiis commorantibus in perpetuum; nolentes quòd iidem burgenses, hæredes, seu successores sui ratione visus prædicti pro tempore præterito per nos vel hæredes nostros, justiciarios, aut alios ministros nostros quoscunque occasionentur, molestantur in aliquo, seu graventur quovis modo. **Quare** volumus et firmiter præcipimus pro nobis et hæredibus nostris, quòd prædicti burgenses, hæredes et suc-

(7) *Per speciale warrantum.*] Either *per* must be wholly omitted; or it must be amended by *aliquod* or the like. In the next line *habent* or *habuerunt* is evidently omitted.

ever have all the liberties aforesaid, and also view of frank-pledge in the town and suburbs aforesaid, with all things belonging to such view of the men who dwell in the same town and suburbs, as is aforesaid. **These** being witnesses; the venerable fathers, <sup>8</sup>S' archbishop of Canterbury, primate of all England; <sup>9</sup>J' bishop of Winchester our chancellor; <sup>10</sup>Thomas earl of Norfolk, and marshall of England; <sup>11</sup>John de Warren, earl of Surrey; Hugh de Courtney; Henry de Percy; Thomas Wake; Ralph de Nevill steward of our household, and others. **Given** by our hand at Westminster the 16th day of October, in the fifth year of our reign.

cessores sui burgenses ejusdem villæ habeant omnes libertates supradictas et etiam visum franci plegii in villâ et suburbiis prædictis cum omnibus ad hujusmodi visum pertinentibus de hominibus in eisdem villâ et suburbiis commorantibus in pèrpetuum, sicut prædictum est. **His** testibus Venerabilibus Patribus S. Archiepiscopo Cantuar', totius Angliæ Primato; J. Winton' Episcopo, Cancellario nostro; Thomâ Com' Norfolk', et Marischallo Angliæ; Johanne de Warren, Com' Surrey; Hugone de Courtney; Henrico de Percy; Thomâ Wake; Radulpho de Nevill, Seneschallo hospitii nostri; et aliis. **Datum** per manum nostram apud Westm' sexto decimo die Octobris anno regni nostri quinto.

(8) *S' archb'*] Simon Mepham, elected archbishop in 1327.

(9) *J' Winton.*] John de Stratford, elected bishop of Winchester in 1323. He was lord chancellor and lord treasurer, and in 1333 was elected archbishop of Canterbury.

(10) *Tho' earl of Norfolk.*] He was called Thomas de Brotherton, and was the king's uncle of half-blood, being son

of Edw' 1, by his second wife, Margaret of France.

(11) *John de Warren, &c.*] Most of these witnesses, viz. the bishop of Winchester, the earls of Norfolk and Surrey, Henry lord Percy, and Thomas lord Wake, had been the king's governors and guardians of the realm during his minority. At the date of this charter he was about 13 years old.

## XI.

### CHARTER OF EDWARD III. DATED 24 APRIL 21 EDW' III.

i' e' 1347.



**E**dward<sup>1</sup> by the grace of God king of England and France and lord of Ireland to all, to whom these present letters shall come, [sendeth] health. **W**hereas, as we have heard, very many evil doers and disturbers of our peace wander and run about by day and night in the town of Bristol doing harms, mischiefs and excesses

### XI. *Carta 24 Apr' 21 Edw' 3, 1331.*

**E**dwardus Dei gratiâ rex Angliæ et Franciæ et dominus Hiberniæ omnibus ad quos præsentis litteræ pervenerint salutem. **Q**uia, ut accepimus, quàm plurimi malefactores et pacis nostræ perturbatores in villâ Bristoll' diebus et noctibus vagantur et discurrunt, damna, maleficia et excessus

(1) The ornamented letter at the beginning of this charter contains an exact outline of the original in the Chamberlain's office, for which I am indebted to the pencil of Mr. BIRD:

the original, as well as Mr. Bird's copy, is highly blazoned: the engraver could only trace the outline,



in various ways to our subjects of those parts, to the no small terror of our people there, and to the manifest breach of our said peace; We; desiring that our peace should be strictly kept in the town aforesaid as in the other places of our kingdom of England, and willing that the disturbers and violators of the same our peace should be duly punished, as is right; have granted for ourselves and our heirs to our beloved the Mayor, bailiffs and good men of the said town of Bristol, that they be empowered to make anew and to have and hold for themselves and their successors for ever one place of confinement for prisoners within the town aforesaid, in order to imprison in the same such evil doers and disturbers of our peace, if any shall happen to be found in the same place wandering about by night, in the same manner as is usual in our city of London. **We have also** granted for ourselves and our heirs to the same Mayor, bailiffs and good men, that they and their successors aforesaid for the better keeping of the assize

Liberty to erect a place of confinement.

subjectis partium illarum diversimodè perpetrantes, in populi nostri ibidem terrorem non modicum ac dictæ pacis nostræ læsionem manifestam; nos desiderantes pacem nostram in villâ prædictâ, sicut in cæteris locis regni nostri Angliæ firmiter observari, ac volentes perturbatores ac violatores ejusdem pacis nostræ debitè puniri, prout decet; concessimus pro nobis et hæredibus nostris dilectis nobis majori, ballivis, et probis hominibus dictæ villæ Bristol', quòd ipsi unum doleum pro prisonibus infra villam prædictam <sup>2</sup> de novo facere et illud habere possint et tenere sibi et successoribus suis in perpetuum ad imprisonandum in eodem hujusmodi malefactores et pacis nostræ perturbatores, si quos ibidem de nocte vagantes inveniri contigerit, eodem modo prout in civitate nostrâ London' est usitatum. **Concessimus** etiam pro nobis et hæredibus nostris eisdem majori, ballivis et probis hominibus quòd ipsi et successores sui prædicti pro meliori custodiâ assisæ panis

(2) *De novo facere*] to make anew. I understand these words to mean, not to rebuild, but to make what they had not before. The word *doleum* or *dolium* I have sought in vain in Spelman and Ducange. The ornamented letter plainly shews it's meaning to be, a cage, a box, a lock-up-house: it may perhaps be derived from *doleo*, to be in pain or trouble.

(3) *Assize*.] This word among other significations has the following:

1. It signifies a statute or ordinance; or rather, some few statutes or ordinances are called assizes. Thus the statute concerning bread and ale, 51 Hen' 3, is termed *assiza panis et cervisie*; so also *assiza de forestâ*, *assiza regis*, &c.

2. It derives a second signification from the former: for it signifies the rate of quantity, quality, or price of ale, bread, fish, cloth, &c. prescribed by such statute or ordinance; in which sense we say that the magistrate has power to appoint the assize of bread. In this charter the general meaning will be the same, in which ever of these two senses the word be understood. The assize of bread is fixed by the 51 Hen' 3, and stewards and bailiffs of towns are empowered to punish those who break it: it does not therefore appear that any new power was given to the magistrates of Bristol by this grant, but only that a specific mode of punishment was pointed out.

of bread to be made in the town aforesaid, shall be empowered in future to inflict such a punishment on bakers who break that assize in the same place; viz. to draw such bakers who offend against that assize upon sledges thro' the streets of the town aforesaid, and otherwise to punish them, as is practised in like manner with regard to such bakers in our city of London. **In witness** whereof we have caused these our letters to be made patent. Witness, our most dear son <sup>4</sup>Lionel, guardian of England. At Reading the <sup>5</sup>24th day of April, in the 21st year of our reign of England, but of our reign of France the 8th.

Bakers to be punished who break the assize.

in villâ prædictâ faciendæ de cætero facere possint talem punitionem de pistoribus assisam illam ibidem frangentibus, viz. ad trahendum hujusmodi pistorem contra assisam illam delinquentem super clathras per vicos villæ prædictæ, et ad ipsos alio modo castigandos, prout in dictâ civitate nostrâ London' de hujusmodi pistoribus similiter est usitatum. **In cujus** rei testimonium has litteras nostras fieri fecimus patentes. Teste Lionello filio nostro charissimo, custode Angliæ. Apud Reading', vicesimo quarto die Aprilis, anno regni nostri Angliæ vicesimo primo, regni verò nostri Franciæ octavo.

(4) *Lionel*] The king's third (but second surviving) son, born at Antwerp in Nov' 1338; he was consequently not 9 years old when this charter was granted, although appointed guardian of the realm.

(5) *The date*] King Edward was at this time besieging Calais, which surrendered in August.

## XII.

CHARTER OF EDWARD III. DATED 8 AUG. 47 EDW' 3,

i' e' 1373.

**Edward** by the grace of God king of England and France and lord of Ireland, to his archbishops, bishops, abbots, priors, dukes, earls, barons, justices, sheriffs, provosts, bailiffs, officers, and all other his faithful men, [sends] health. **Know ye** that whereas by the charters as well of our progenitors, formerly kings of England, which 'with clauses of **Notwithstanding** we have confirmed, as by our own, divers liberties and acquittances have been for ever granted to our beloved the burgesses of our town of Bristol, and their heirs and successors, as is more fully contained in the same charters; We at the petition of our beloved the mayor and commonalty of the city aforesaid truly asserting that the same town is situate partly in the county of Gloucester and partly in

### XII. *Carta 8 Aug' 47 Edw' 3, 1373.*

**Edwardus** Dei gratiâ rex Angliæ et Franciæ et dominus Hiberniæ, archiepiscopis, episcopis, abbatibus, prioribus, ducibus, comitibus, baronibus, justiciariis, vicecomitibus, præpositis, ballivis, ministris et omnibus aliis fidelibus suis, salutem. **Sciatis** quòd cum per chartas tàm progenitorum nostrorum quondam regum Angliæ, quas cum clausulis **licet** confirmavimus, quàm nostras, diversæ libertates et quietantiæ dilectis nobis burgensibus villæ nostræ Bristoll' et eorum hæredibus et successoribus, prout in eisdem cartis plenius continetur, in perpetuum sint concessæ; Nos ad supplicationem dilectorum nobis majoris et communitatis villæ prædictæ veraciter asserentium, eandem villam partim in comitatu Glouc' et partim in com' Somerset' scituatam existere;

(1) *With clauses.*] It refers to those clauses of exemption *obstante*, of which there are examples in the charters of 1256- from general law, which are expressed by *licet*, *eo quod*, *non* and 1331, and many in the succeeding ones.

Inconvenient  
distance from  
Glouc' and  
Ilchester.

the county of Somerset; and that although the town aforesaid from the towns of Gloucester and Ilchester, where the county-courts, assizes, juries and inquests are taken before our justices and other officers in the counties aforesaid, be distant thirty miles of road deep in winter-time particularly and dangerous to passengers, the burgesses of the said town of Bristol are nevertheless on many occasions bound to be present at holding the county-courts and taking of the assizes, juries and inquests aforesaid, by which they are sometimes prevented from attending to their shipping and the management of their merchandizes, to the lowering of their estate and the manifest impoverishment of the same town; We, for the improvement of the said town of Bristol, and also in consideration of the good behaviour of the said burgesses towards us and of their good service bestowed on us in times past by their shipping and other things, and for 600 marks, which they have paid to us ourselves into our chamber, of which we will that no one be charged toward us; willing to provide more amply and more abundantly for the aforesaid burgesses, their heirs and successors profitably and quietly; of our especial favour and by the deliberation and assent of skilful persons of

For the good  
service of the  
burgesses.

And for the  
sum of 600  
marks.

et licet villa prædicta a villis de Glouc' et Yvelchester, ubi comitatus, assisæ, juratæ et inquisitiones coram justiciariis et aliis ministris nostris in comitatibus prædictis capiuntur, distet per triginta <sup>2</sup> leucas profundi itineris in tempore maximè hiemali et transeuntibus periculosi, burgenses tamen dictæ villæ Bristoll' ad interessendum comitatibus tenendis ac captioni assisarum, juratarum, et inquisitionum prædictarum multipliciter districtos fore, per quod circa navigiis et merchandizarum suarum exercitio vacare nonnullis temporibus impediuntur, in statu sui depressionem ac ejusdem villæ depauperationem manifestam; volentes, in meliorationem dictæ villæ Bristoll', necnon in consideratione boni gestûs dictorum burgensium erga nos, et boni servitii sui per eorum navigium et alia nobis temporibus retroactis impensi, ac pro sexcentis marcis, quas ipsi nobismet ipsis in cameram nostram, de quibus neminem erga nos onerari volumus, solverunt, prædictis burgensibus, eorum hæredibus et successoribus commodè et quietè præamplius et uberius providere; de gratiâ nostrâ speciali ex deliberatione et assensu peritorum de concilio nostro nobis assistentium;

(2) *Triginta leucas*] 30 leagues. The variation in the length of the mile, league, &c. in different ages and places, has ever been a source of much perplexity. The distance from Bristol to Gloucester being 34 and to Ilchester 39 statute

miles, it is evident that here the league is nearly the same as the mile. The same measurement occurs again in charter 5 Charles 1. There are several other passages in our ancient writers, where *leuca* or *leucata* signifies a mile.

our council assisting us; **Have granted** and by this our charter have confirmed for us and our heirs to the said burgesses and their heirs and successors for ever, that the said town of Bristol with it's suburbs and precincts of the same, according to it's <sup>3</sup>metes and bounds as they are limited, be for ever in future alike separated and in all respects exempted from the said counties of Gloucester and Somerset both by land and by water, and that it be a <sup>4</sup>county by itself, and called the *county of Bristol*: and that the said burgesses, their heirs and successors for ever may have within the said town of Bristol and the suburbs of the same and their precincts by metes and bounds as they are limited, the liberties and acquittances underwritten, and may fully enjoy and use them; viz, **That** every mayor of the same town of Bristol who for the time shall be, by that very thing and as soon as he shall be elected in the same place shall be the <sup>5</sup>escheator of us and our heirs in the town of Bristol, the suburbs and precincts aforesaid: **And that** the said burgesses and The mayor shall be escheator.

**Concessimus** et hanc cartam nostram confirmavimus pro nobis et hæredibus nostris dictis burgensibus et eorum hæredibus et successoribus in perpetuum, quod dicta villa Bristoll' cum suburbiis suis et præcinctibus eorundem juxta fines et boundas, prout limitatæ existunt, de dictis comitatibus Glouc' et Somerset' de cætero separata sit pariter et in omnibus exempta tam per terram quam per aquam, et quod sit comitatus per se, et comitatus Bristoll' nuncupata in perpetuum: et quod dicti burgenses et eorum hæredes et successores in perpetuum habeant infra dictam villam Bristoll' et suburbia ejusdem et eorum præcinctus per fines et boundas prout limitatæ existunt, libertates et quietantias subscriptas, et eis plenè gaudeant et utantur; viz. **Quod** quilibet major ejusdem villæ Bristoll', qui pro tempore fuerit, eo ipso et quam cito ibidem electus extiterit, sit escheator noster et hæredum nostrorum in villam Bristoll', suburbiis et præcinctibus prædictis: **Et quod** dicti bur-

(3) *Metes.*] *Meta* is a stone or post for the division of land: a *bound* or *boundary* is a more general term, comprehending every thing used for the same purpose, a stone, a post, a tree, a mark, a corner, &c.

(4) *A county by itself.*] This erection of Bristol into a county, which was before only a bailiwick, forms an important era in it's civil constitution. The remainder of this charter for the most part consists of regulations necessary for removing the business which used to be done in the county-courts of Gloucestershire and Somersetshire into the

courts of the town or county of Bristol. See Cotton's Records p' 119, No. 31.

(5) *Escheator and sheriff.*] Lands, &c. on several occasions escheated, i' e' lapsed or were forfeited to the king or the lord; the king's officer who took possession of these escheats in his name was called *the escheator*: he was appointed by the lord treasurer, one for each county, so that when Bristol became a county, it was necessary to appoint an escheator. For the same reason a sheriff also was necessary; for the sheriff (as the name *shire-reeve* imports) is a chief officer of a county; the one cannot be without the other.

commonalty and their successors for ever shall have one <sup>5</sup>sheriff in the same town, suburbs and precincts, which sheriff shall be chosen and made annually in the underwritten form; viz. the said burgesses and commonalty shall every year choose out of themselves three persons, whose names under the common seal of the said town of Bristol they shall every year for ever send to the chancery of us and our heirs; and out of the three we and our heirs, or the council of us or our heirs, in our and their name shall choose and by our letters patent under our great seal shall make one every year for ever for sheriff of the said town of Bristol the suburbs and precincts to continue for one year only: **So that** always the same escheator and sheriff shall answer for the issues arising out of those offices to us and our heirs at the exchequer of us and our heirs aforesaid; and that there shall not be at any future time any other escheator or sheriff in the said town suburbs and precincts, but only from themselves, as is premised: **And that** the same sheriff and escheator of Bristol shall have the same power, jurisdiction and liberty and whatever else belongs to the offices of sheriff and escheator in the same town, suburbs and precincts of Bristol, which other sheriffs and escheators elsewhere have within our kingdom of England: **And that** the

One sheriff to be chosen yearly.

Manner of choosing the sheriff.

They shall account at the Exchequer.

Sheriff to hold his court every month.

genses et communitas et eorum hæredes et successores in perpetuum habeant unum vicecomitem in eisdem villâ, suburbiis et præcinctibus, qui quidem vicecomes in formâ subscriptâ annuatim eligetur et perficietur; viz. dicti burgenses et communitas quolibet anno de seipsis eligant tres personas, quarum nomina sub sigillo communi dictæ villæ Bristoll' in cancellariam nostram et hæredum nostrorum annuatim mittant in perpetuum; et de ipsis tribus nos et hæredes nostri vel concilium nostrum aut hæredum nostrorum nostro et ipsorum nomine unum singulis annis in perpetuum in vicecomitem dictæ villæ Bristoll', suburbiorum et præcinctorum eligemus, et per literas nostras patentes sub magno sigillo nostro perficiemus per annum duntaxat duraturum: **ita semper** quòd iidem escheator et vicecomes de exitibus de officiis illis provenientibus nobis et hæredibus nostris respondeant ad scaccarium nostrum et hæredum nostrorum prædictorum; et quòd aliquo tempore futuro quisquam alius escheator aut vicecomes in dictâ villâ, suburbiis et præcinctibus, nisi solummodò de seipsis, ut præmittitur, nequaquam existat: **Et quod** iidem vicecomes et escheator Bristoll' easdem habeant potestatem, jurisdictionem, et libertatem, ac quæcunque alia ad officia vicecomitis et escheatoris pertinent, in eisdem villâ Bristoll', suburbiis et præcinctis, quæ ceteri vicecomites et escheatores alibi habent infra regnum nostrum Angliæ: **Et quod** idem vicecomes Bristoll' comitatum suum ibidem de mense in mensem per diem

same sheriff of Bristol shall hold his county-court in the same place from month to month on Monday, as other sheriffs in the same kingdom hold their county-courts: **And that** the said mayor shall in like manner hold his court in the same place, and shall at all times for ever collect the profits thereof for the use of the commonalty of the same town of Bristol, as has been heretofore accustomed to be done: **And that** no sheriff, escheator or other officer of the aforesaid counties shall enter that town or suburbs or precincts aforesaid for the purpose of executing any office within the same town, suburbs and precincts: **And that** the said sheriff and escheator of Bristol for the time being shall be empowered to make up and account for their profits every year before the treasurer and barons of the exchequer of us and our heirs by the attorney of them, the sheriff and escheator, deputed for that purpose by letters patent signed under the common seal of the same town of Bristol, from all things for which they are accountable touching the offices of sheriff and escheator: and that the attorney aforesaid shall be admitted by the same treasurer and barons according to the force and effect of the letters aforesaid to make up and render such profits and accounts; so that the said sheriff and escheator or their successors shall not be forced to go out of the said town to account for any thing relating to their offices: **And that** every mayor of the said town of Bristol, who

Mayor to hold his court.

No officer of other counties to interfere.

Mayor and sheriff may account by their attorney.

And shall not go out of the town to account.

Lunæ teneat, prout alii vicecomites in eodem regno comitatus suos tenent: **Et quod** dictus major suam curiam ibidem similiter teneat, et proficua inde ad opus communitatis ejusdem villæ Bristoll' perpetuis temporibus percipiat, prout antea fieri consuevit: **Et quod** nullus vicecomes, escheator aut alius minister comitatum prædictorum illam villam aut suburbia seu præcincta prædicta ingrediatur ad aliquod officium exercendum infra eandem villam, suburbia et præcinctus: **Et quod** dictus vicecomes et escheator Bristoll' pro tempore existentes proficua sua quolibet anno facere et computare possint coram thesaurario et baronibus de scaccario nostro et hæredum nostrorum per attornatum ipsorum vicecomitis et escheatoris ad hoc deputatum per literas patentes sub sigillo communi ejusdem villæ Bristoll' signatas, de quibuscunque rebus, unde computabiles fuerint, officia vicecomitis et escheatoris tangentibus: et quòd attornatus prædictus ad proficua et computa hujusmodi facienda et reddenda per eosdem thesaurarium et barones juxta vim et effectum literarum prædictarum admittatur; absque eo quòd iidem vicecomes et escheator seu successores sui ad veniendum extra dictam villam ad computandum de aliquibus ad officia sua spectantibus compellantur: **Et quod** quilibet major dictæ villæ Bristoll', qui pro tempore erit,

for the time shall be, immediately after his election shall make his oath before his immediate predecessor who had been mayor of the same town (if he be living) in the guildhall of the said town of Bristol before the commonalty of the same town, as well for the office of the mayoralty as for the office of escheator; without his being presented for the future to the constable of our castle of the said town of Bristol or being accepted by the same, as has heretofore been accustomed to be done: **And that** the sheriff of the same town of Bristol, when he shall be elected and made, as is premised, shall in like manner make his oath by writ of *dedimus potestatem* before the mayor of the said town of Bristol; which writ we will to be granted in this case without any difficulty in the chancery of us and our heirs for the time being; so that they shall in no wise be forced to make their oaths out of the town aforesaid any where else or in any other way; but that always certificate be made under the common seal of the said town of Bristol of the name of the escheator aforesaid every year at the exchequer of us and our heirs: **And that** the same mayor and sheriff of Bristol and their successors for ever shall have power to enquire, hear and determine, as well by writs of us and our heirs, as by bills and complaints at the suit of us and our heirs, and also at the suit of the party, in such manner as suit is granted to the

Mayor shall be sworn before his predecessor.

And not before the constable of the castle.

Sheriff shall make oath.

Mayor or Sheriff may hear and determine causes.

statim post electionem suam sacramentum suum coram proximo predecessore suo, qui fuerat major ejusdem villæ, (vivente) in le Guildhall dictæ villæ Bristoll' coram communitate ejusdem villæ, tam pro officio majoratûs quàm pro officio escheatoris, faciat; absque eo quod ipse constabulario castri nostri dictæ villæ Bristoll' de cetero præsentetur, seu ab eodem acceptetur, prout antea fieri consuevit; **Et** [supple quòd] vicecomes ejusdem villæ Bristoll', cum electus et perfectus fuerit, ut præmittitur, sacramentum suum per breve de *dedimus potestatem* coram majore dictæ villæ Bristoll' similiter faciat; quod quidem breve sine difficultate aliquâ in cancellariâ nostrâ et hæredum nostrorum pro tempore existentium concedi volumus ex hâc causâ; ita quod ipsi ad sacramenta sua facienda extra villam prædictam alibi coram aliquo alio vel alio modo nullatenus compellantur; sed semper quòd de nomine escheatoris prædicti singulis annis ad scaccarium nostrum et hæredum nostrorum sub sigillo communi dictæ villæ Bristoll' certificetur: **Et quod** iidem major et vicecomes Bristoll' et eorum successores in perpetuum habeant potestatem ad inquirendum, audiendum, et terminandum tam per brevia nostra et hæredum nostrorum quàm per billas et querelas, ad sectam nostram et hæredum nostrorum et etiam ad sectam partis, prout secta parti de jure attribuitur, de omnimodis malefactis, transgressionibus, perturbationibus



party by due course of law, concerning all manner of misdemeanours, trespasses, disturbances against the peace, <sup>6</sup> champerties, conspiracies, confederacies, <sup>7</sup> ambidextries, extortions, oppressions, counterfeitings and other misprisions whatever, done or to be done within the town, suburbs and precincts aforesaid; and concerning victuallers, workmen, labourers and artificers within the same town, suburbs and precincts, as often as they shall see it right to be done; and to punish such transgressors by fines and ameracements and imprisonment of their bodies; and to make due execution of judgements pronounced by them on those persons:

**Saving** always to us and our heirs the said fines and ameracements The fines reserved to the crown. and other things belonging to us from thence; of which fines and ameracements and other things thus belonging to us from thence, <sup>8</sup> estreats shall be delivered at the exchequer of us and our heirs by the said mayor and sheriff under their seals every year on the morrow of St. Michael: **And in like** manner that the same Mayor and sheriff may hear and determine felonies.

contra pacem, cambiperciis, conspiracyonibus, confederationibus, ambidextris, extortionibus, oppressionibus, falsitatibus, et aliis misprisionibus quibuscunque, factis seu faciendis infra villam, suburbia, et præcincta prædicta, ac de victellariis, operatoribus, laboratoribus, et artificibus infra eandem villam, suburbia et præcincta, quoties viderint faciendum; et ad hujusmodi transgressores per fines et ameraciamenta et imprisonmenta corporum suorum puniendos; et ad debitam executionem judiciorum per eos super his redditorum faciendam: **Salvis** semper nobis et hæredibus nostris dictis finibus et ameraciamentis et aliis ad nos inde spectantibus; de quibus quidem finibus, ameraciamentis et aliis sic ad nos inde spectantibus extracta per dicto<sup>s</sup> majorem et vicecomitem sub sigillis suis quolibet anno in crastino Sancti Michaelis ad scaccarium nostrum et hæredum nostrorum librentur: **Et similiter** quod iidem major et vicecomes

(6) *Champerties.*] It is a species of *maintenance*, whereby a person agrees to assist another in the recovery of land, &c. by law, on condition of receiving a part of the land, &c.; whence the name is derived *quasi campi partitio*. As this practice appeared to be productive of litigation and enabled persons to combine against real and lawful possessors, many statutes were made against it in the reigns of Edwards 1. and 3. It has been very ingeniously questioned in modern days, whether this prohibition of maintenance and champerty may not rather tend to the support of fraud and violence than to promote the purposes of justice. See Bentham on Usury, letter 12.

(7) *Ambidextries.*] ‘Ambidexter is that jurour or embracour, that taketh of both parties for giving of his verdict. He forfeiteth ten times so much as he taketh, anno 38 Edw’ 3, cap’ 12.’ Cowell. However since all the words before and after mean practices and not persons, it is plain that *ambidextris* here must mean *ambidextrous practices*.

(8) *Estreats.*] ‘Estreate (*extractum vel extracta*) commeth of the French *traict*, which among other things signifieth a figure or resemblance: and is used in our common law for the copie or true note of an original writing; for example, of ameracements or penalties set down in the rolles of a court to be levied by the bayliffe or other officer of every man for his offence.’ Cowell.

mayor and sheriff of Bristol and their successors for ever shall have power to enquire concerning all felonies done and to be done in the said town of Bristol, it's suburbs and precincts; and to arrest within the same town of Bristol, it's suburbs and precincts all those who by inquisitions to be made on this behalf shall be indicted, and to commit them to the gaol or prison of us and our heirs of the same town of Bristol, to continue in the same goal or prison, until they be delivered according to the law and custom of our said kingdom of England in the court of us and our heirs of the same town and not elsewhere, by the justices of us and our heirs appointed and to be appointed for delivering the goal of the said town of Bristol, of which justices the mayor of the said town of Bristol for the time being shall be one: **And also** [that they shall have power] to replevy things replevizable: **And that** the said burgesses, their heirs and successors for ever shall have the keeping of the said gaol or prison: **And in like** manner that they shall have <sup>9</sup> infangthiefe and outfangthiefe, and that the mayor and

The gaol granted to the burgesses.

Infangthief and outfangthief granted.

Bristolliæ et eorum successores in perpetuum habeant potestatem ad inquirendum de quibuscunque felonis in dictâ villâ Bristoll', suburbiis et præcinctibus factis et faciendis; et arretandum infra eandem villam Bristoll', suburbia, et præcinctus omnes illos, qui per inquisitiones in hac parte faciendas indictati fuerint, et eas goalæ sive prisonæ nostræ et hæredum nostrorum ejusdem villæ Bristoll' mancipandos, in eadem goalâ sive prisonâ moraturos, donec per justiciarios nostros et hæredum nostrorum, ad goalam dictæ villæ Bristoll' deliberandam assignatos et assignandos (quorum just' orum major dictæ villæ Bristoll' pro tempore existens sit unus) secundum legem et consuetudinem dicti regni nostri Angliæ in curiâ nostrâ et hæredum nostrorum ejusdem villæ et non alibi deliberentur: **Et etiam** replegiabilia replegiandum: **Et quod** dicti burgenses et eorum hæredes et successores in perpetuum habeant custodiam dictæ goalæ sive prisonæ: **Et similiter** quòd habeant infangthiefe et outfangthiefe, et quòd major et vicecomes ejusdem

(9) *Infangthief.*] 'A privilege or libertie granted unto lords of certain maners to judge any thiefe taken within their fee. It is derived from *in, fang* or *fangen* (to catch) and *thief* or *thief.*' Cowell. The word signifies also the thief himself.—*Outfangthief* is the privilege whereby a lord reclaimed a man belonging to his fee, who was taken as a thief out of or beyond his jurisdiction, and judged him in his own court. Jacob from good authority; and so says Dufresne. Others say, that outfangthief is the trial and punishment of felons being strangers, but taken

in the town: and others say that in cases of infangthief and outfangthief it was necessary that the thief should be taken with the thing stolen about him handhabend or bacberend. It is evident from the authorities quoted in Spelman's Glossary, that these two words are used with these and such like variations; the custom of the manor was probably the rule. 'The franchises of *infangthief* and *outfangthief* to be heard and determined in court-barons are antiquated and long since gone.' Jacob.

sheriff of the same town of Bristol for the time being shall do judgement and execution thereupon: **And if** any persons shall be taken <sup>10</sup> with the mainour for any felony done within the town of Bristol, the suburbs and precincts aforesaid, and fresh suit be made against them for the same felonies, then the said prisoners shall be delivered before the said mayor and sheriff of the same town of Bristol according to the law and custom of our kingdom aforesaid: **And that** the sheriff and coroner of the said town of Bristol for the time being for ever shall have power to receive <sup>11</sup> appeals of the death of a man, and also of all other felonies whatever committed and to be committed within the said town of Bristol, it's suburbs and precincts; and to arrest persons who are so appealed, and to commit them to the goal or prison aforesaid, to remain in the same until they shall be delivered according to the law and custom of the said kingdom in the court of us and our heirs of the same town of Bristol, and not elsewhere, by the

Felons taken  
with the mai-  
nour shall be  
tried.

villæ Bristoll' pro tempore existentes iudicium et executionem inde faciant: **Et si** aliqui capti fuerint pro quâcunque felonîâ cum manu opera factâ infra villam Bristoll', suburbia et præcincta prædicta, et secta versus eos recenter facta fuerit pro eisdem felonîis; extunc dicti prisonæ coram dictis majore et vicecomite ejusdem villæ Bristoll' deliberentur secundum legem et consuetudinem regni nostri prædicti: **Et quod** vicecomes et coronator dictæ villæ Bristoll' pro tempore existentes in perpetuum habeant potestatem recipiendi appella de morte hominis, necnon de quibuscunque aliis felonîis infra dictam villam Bristoll', suburbia et præcinctus perpetratis et perpetrandis; et appellatos hujusmodi arrestandi; eosque goalæ sive prisonæ prædictæ mancipandi, in eâdem moraturos, donec per justiciarios nostros et hæredum nostrorum ad goalam dictæ villæ Bristoll' deliberandam assignatos et assignandos, quorum justiciariorum major dictæ villæ Bristoll' pro tempore existens sit unus, ut præmittitur, secundum legem et consuetudinem dicti regni in curiâ nostrâ et hæredum nostrorum ejusdem villæ Bristoll', et non alibi, deliberentur: salvo semper

(10) *With the mainour.*] 'Mainour or manour or meinoure' signifieth in our common law the thing that a thief taketh away or stealeth; as, to be taken with the mainour, is, 'to be taken with the thing stolen about him.' 'If the defendant were taken with the manour, and the manour bee carried to the court, they in ancient times would arraign him upon the mannour without any appeal or inditement.' Cowell. The former translator renders the passage thus: *for any felony done by hand-work.*

(11) *Appeals.*] 'It signifieth in our common law as much

' as *accusatio* with the civilians.' Cowell. 'It is a lawful declaration of another man's crime (which by Bracton must be felonie at the least in the common law) before a competent judge by one that setteth his name to the declaration and undertaketh to prove it upon the penaltie that may ensue of the contrary.' Cowell. 'An appeal of death which is now chiefly in use is a vindictive action, which the law gives a wife against her husband's murderer, and to the heir at law against one who kills his ancestor; which being the suit of the subject, the king cannot pardon.' Jacob.

justices of us and our heirs assigned and to be assigned to deliver the goal of the said town of Bristol, of which justices the mayor of the said town of Bristol for the time being shall be one, as is premised; saving always, that they who are taken and imprisoned in cases of infangthiefe, and for felonies with the mainour where fresh suit has been made, shall be delivered before the mayor and sheriff of Bristol, as is aforesaid. **And mozeover** we have granted and confirmed for us and our heirs to the said burgesses and their heirs and successors for ever, that no burgess of the said town, suburbs and precincts, or any other person whatever on account of their tenures which are in the same town of Bristol, it's suburbs and precincts, nor on account of any thing whatever done or to be done in the same place, shall plead before any judge out of the same town of Bristol, nor on account of any contracts, accounts, debts, covenants, trespasses, or any act whatever shall be convicted out of the town, or any otherwise than by his fellow-burgesses of the said town of Bristol, it's suburbs and precincts: **But that** the mayor and sheriff of the said town of Bristol, who for the time shall be, shall have <sup>12</sup> cognizance of all pleas, and also of <sup>13</sup> assizes of *novel disseisin*

Mayor and sheriff shall have cognizance of all pleas, &c.

quòd capti et imprisonati in casibus de infangtheife et pro feloniis cum manu opera, ubi recenter secta facta fuerit, coram dictis majore et vicecomite Bristoll' deliberentur, sicut prædictum est. **Et etiam** concessimus et confirmavimus pro nobis et hæredibus nostris præfatis burgensibus et eorum hæredibus et successoribus in perpetuum, quod nullus burgensis dictorum villæ, suburbiorum et præcinctuum, aut alia persona quæcunque de aliquibus tenuris suis in eisdem villà Bristoll', suburbiis et præcinctis existentibus, nec de aliâ re quacunque ibidem factâ vel faciendâ implicitet vel implicitetur coram aliquo iudice extra eandem villam Bristoll', nec de aliquibus contractis, computis, debitis, conventionibus, transgressionibus, aut alio facto quocunque forinsecus seu aliter quàm per comburgenses suos dictorum villæ Bristoll', suburbiorum et præcinctuum vincatur; **Sed quòd** major et vicecomes dictæ villæ Bristoll', qui pro tempore fuerint, habeant cognitionem omnium placitorum, necnon assisarum novæ disscisinæ

(12) *Cognizance.*] 'Cognizance is used diversly, sometime signifying—a power or jurisdiction, as *cognizance of plea* is an ability to call a cause or plea out of another court; which noe man can doe, but the king, except he can shew charters for it.' Cowell. 'This cognizance of pleas is a privilege granted by the king to a city or town to hold plea of all contracts, &c. within the liberty of the fran-

chise; and when any man is impleaded for such matters in the courts of Westminster, the mayor, &c. of such franchise may ask cognizance of the plea, and demand that it shall be determined before them.' Jacob.

(13) *Assize.*] The word in this place is taken for 'a writ directed to the sheriffe for the recovery of possession of

[and] of *mort d'auncestre*, and of certificate of persons arraigned and to be arraigned on account of lands, tenements, rents and tenures whatever being within the said town of Bristol, it's suburbs and precincts; and also [cognizance] of all trespasses, covenants, debts, accounts, contracts and complaints whatever, and of every thing any wise done or arising within the said town of Bristol touching any persons whatever; [such cognizance] to be holden and had before the said mayor and sheriff of Bristol within the said town of Bristol in the guildhall of the same town and to be determined in form of law, and to be committed by the same mayor and sheriff to due execution to be caused to be done thereupon, of whatever condition the claimant or plaintiff, the tenant or defendant be: which cognizance at the petition of the said mayor and sheriff or the attorney of the same, before whatever justices of us or our heirs of one bench or of the other, or before whatever other our justices, or elsewhere in whatever courts of us or our heirs, whether by the writs or without the writs of us and our heirs such pleas shall any ways happen to be moved, shall be allowed and granted to

And of all  
trespasses, &c.

[*supple et*] *mortis antecessoris*, et certificationis arrainatorum et arrainandorum de quibuscunque terris, tenementis, redditibus et tenuris infra dictam villam Bristoll', suburbia et præincta existentibus, et etiam [*dele de*] quarumcunque transgressionum, conventionum, debitorum, computorum, contractuum, et querelarum, necnon cujuslibet rei infra dictam villam Bristoll', suburbia et præinctus qualitercunque factorum sive emergentium quascunque personas tangentium, coram dictis majore et vicecomite Bristoll' infra dictam villam Bristoll' in le guildhall ejusdem villæ tenendam et habendam et in formâ juris terminandam, debitæque executioni per eosdem majorem et vicecomitem demandandam et inde fieri faciendæ, cujuscunque status pars petens seu conquerens, tenens vel defendens existit, quæ quidem cognitio ad petitionem dictorum majoris et vicecomitis vel attornati eorundem coram quibuscunque justiciariis nostris vel hæredum nostrorum de uno banco sive alio vel quibuscunque aliis justiciariis nostris seu alibi in quibuscunque curiis nostris aut hæredum nostrorum; sive per brevia seu sine brevibus nostris aut

' things immoveable, whereof yourself or your auncestour  
' have been disseized' (dispossessed). ' Assize of novel dis-  
' *seisin* lieth, where a tenant in fee-simple, fee-taile, &c. is  
' lately disseized of his lands or tenements. *Assize of mort*  
' *d' auncester* lieth, where my father, mother, brother, &c.

' died, seized of lands, &c. that he had in fee-simple, and  
' after his death a stranger abateth.' Cowell. ' Cognizance  
' of pleas extends not to assizes.' Jacob. For which reason  
a particular grant from the crown, as here, was necessary.

the said mayor and sheriff of Bristol in their own name and that of the burgesses aforesaid by the same justices and other officers of us and our heirs of the courts aforesaid on the inspection of our charter made on the subject of these our present grants, without having any writ of us or our heirs, or any other warrant or mandate thereupon directed to the said justices or officers; [such cognizance] to be holden, had and determined in manner as is premised by the said mayor and sheriff, and committed to due execution to be caused thereupon to be done: **Saving** always that the pleas, which were accustomed to be holden in our court in the said town of Bristol called the court of the <sup>14</sup>Tolsey before the steward and other our officers in that place, shall for the future be held in the same court before the steward and other the officers of us and our heirs in the same place; and answer shall be made to us and our heirs for the profits arising from thence by those officers or others, who shall receive the said profits in the name of us and our heirs, as shall be right and has heretofore been accustomed to be done: **So that** the justices of us and our heirs who shall be appointed for taking assizes, jurates, and

Pleas in the Tolsey-court still to be held before the steward.

eorundem nostrorum hæredum hujusmodi placita aqualiter moveri contigerit, dicto majori et vicecomiti Bristol' nomine ipsorum ac burgensium prædictorum, per eosdem justiciarios et alios ministros nostros et hæredum nostrorum curiarum prædictarum, inspectione cartæ nostræ seu per [l' super] præsentis concessionis nostras confectæ, allocètur et concedatur sine aliquo breve nostro vel hæredum nostrorum aut alio warranto sive mandato dictis justiciariis aut ministris directo inde habendo; modo quo præmittitur, prædicto majori et vicecomiti tenenda, habenda, determinanda, debitæque executioni demandanda et inde fieri faciendæ: **Salvo** semper quòd placita, quæ in curiâ nostrâ in dictâ villâ Bristol' vocatâ Tollfeld coram senescallo et aliis ministris nostris ibidem teneri consuevere, in eadem curiâ coram senescallo et aliis ministris nostris et hæredum nostrorum ibidem de cetero teneantur; nobisque et hæredibus nostris de proficuis inde provenientibus per ministros ipsos aut alios qui eadem proficua nostro et hæredum nostrorum nomine perceperint, prout justum fuerit et antea fieri consuevit, respondeatur: **Ita quòd** justiciarii nostri et hæredum nostrorum ad assizas, juratas et certificationes aut alias

(14) *Tollfeld.*] *Geld, yeld or zeld*, denotes a payment (as to yield is to pay). Hence the *Tollfeld* (or as it was afterwards written *Tolsey*) signified at first the payment of toll; and then the place or house where such payment was made.

certificates or other inquisitions in the said county of Gloucester and Somerset, or the justices of us and our heirs of one or the other bench, or the justices of us and our heirs of oyer and terminer or for keeping the peace or for taking or making any other inquisitions whatever, or the sheriffs and eschaetors of the counties of Gloucester and Somerset, or any other justices and officers of us or our heirs whatever shall have no cognizance or jurisdiction concerning any tenures which are within the said town of Bristol, it's suburbs and precincts, or concerning any contracts, covenants, accounts, debts, trespasses, pleas, plaints, done or to be done, arising or which shall arise within the town, suburbs and precincts aforesaid; (**those cases** only being excepted where error hath happened to the justices in eyre of us and our heirs, and to the justices who shall be appointed for delivering the gaol of the said town of Bristol in the manner mentioned above; and also [excepting] inquisitions and determinations of customs and subsidies of wool, leather, hides, skins, felts, and other customs and subsidies of us and our heirs by cocket or otherwise, belonging to us or our heirs from the grant of our faithful people and subjects; and [excepting] those cases which belong

No other justices or officer to interfere.

Except in cases of error, and of subsidies.

inquisitiones in dictis comitatibus Glouc' et Somersett' capiendas assignandi, seu justiciarii nostri aut hæredum nostrorum de uno banco sive de alio, aut justiciarii nostri sive hæredum nostrorum ad audiendum et determinandum seu ad pacem nostram conservandam aut alias quas-cunque inquisitiones capiendas seu faciendas, aut vicecomites et esceatores dictorum comitatum Glouc' et Somersett' seu alii justiciarii et ministri nostri vel hæredum nostrorum quicunque de aliquibus tenuris infra dictam villam Bristoll', suburbia, et præcincta existentibus, seu de contractis, conventionibus, computis, debitis, transgressionibus, placitis, querelis, aut aliâ re quacunque factis vel faciendis, emergentibus seu emergendis infra villam, suburbia et præcincta prædicta: (**Casibus** ubi error intervenerit justiciariis nostris et hæredum nostrorum itinerantibus, et justiciariis ad goalam dictæ villæ Bristoll' deliberandam modo quo supradictum est assignandis, necnon inquisitionibus et terminationibus custumarum et subsidiorum lanarum, coriorum, pellium, <sup>15</sup> lanutarum, et aliarum custumarum et subsidiorum nostrorum et hæredum

(15) *Lanutarum*, or *lanatarum*, or *lanitarum*, or *lanbarum*.] I have searched in vain for this word, which is not sufficiently legible in my copy, altho' it occurs several times. The English *felts* is adopted from the old translation.

to the tolsey court:) nor shall [any such judges] be appointed in the same town of Bristol, it's suburbs and precincts, nor shall they interfere in any case, of whatever state or condition the claimants or the tenants, the plaintiffs or defendants shall be; **But that** hereafter for ever the mayor and sheriff of the said town of Bristol, who for the time shall be, shall have power and jurisdiction of hearing and determining all the aforesaid pleas and plaints in form aforesaid: (those cases only being excepted wherein error shall happen to the justices in eyre of us and our heirs, and to the justices appointed for delivery of the gaol of the said town of Bristol, as is aforesaid, and also [excepting] inquisitions and determinations of customs and subsidies of wool, leather, skins, felts, and other customs and subsidies of us and our heirs by cocket or otherwise belonging to us or our heirs from the grant of our faithful people and subjects; and [excepting] those cases which belong to the said court of Tolsey, as is aforesaid.) **And moreover** we have granted and confirmed for ourselves and our heirs to the said burgesses and their heirs and successors for ever that the said mayor of the town of Bristol for the time being shall have

And cases which belong to the Tolsey-court.

nostrorum ad cockettum vel aliter ad nos vel hæredes nostros ex concessione fidelium et subditorum nostrorum pertinentium, ac iis quæ ad dictam curiam de Tolseld pertinent duntaxat exceptis) cognitionem seu jurisdictionem non habeant; nec assignentur in eisdem villâ Bristollâ suburbiis et præcinctibus, nec se in aliquo intromittant, cujuscunque status vel conditionis partes petentes seu tenentes, querentes vel defendentes fuerint; **Sed quod** deinceps major et vicecomes dictæ villæ Bristoll', qui pro tempore fuerint, in perpetuum habeant potestatem et jurisdictionem audiendi et terminandi omnia prædicta placita et querelas in formâ supradictâ: (casibus ubi error intervenerit justitiariis nostris et hæredum nostrorum itinerantibus, et justiciariis ad goalam dictæ villæ Bristoll' deliberandam, ut prædicitur, assignatis; necnon inquisitionibus et terminationibus customarum et subsidiorum lanarum, coriorum, pellium, lanutarum et aliarum customarum et subsidiorum nostrorum et hæredum nostrorum ad cockett' vel aliter ad nos vel hæredes nostros ex concessione fidelium et subditorum nostrorum pertinentium; ac iis quæ ad dictam curiam de Tolseld pertinent, ut prædicitur, duntaxat exceptis.) **Et insuper** concessimus et confirmavimus pro nobis et hæredibus nostris dictis burgensibus et eorum hæredibus et successoribus in perpetuum, quòd dictus major villæ Bristoll' pro tempore existens habeat potestatem recipiendi et recordandi recognitiones cartarum et aliorum scriptorum quorumcunque, terras, tenementa, redditus, et alias tenuras infra eandem villam, suburbia et præcinctus tan-



power of receiving and recording <sup>16</sup>recognizances of deeds and other writings whatsoever, touching lands, tenements, rents and other tenures within the same town, suburbs and precincts, made by any persons whatever (married women excepted) in full court in the guildhall of the same town: so that such deeds and writings being duly recognized and enrolled in the rolls of the guildhall of the same town of Bristol from thenceforth shall be of record toward all persons, as deeds and writings recognized and enrolled in our chancery or in our other courts. **And** [we have granted] that when any original writs whatever, whether of covenant or others, shall hereafter be obtained in the chancery of us or our heirs between any parties concerning any lands, tenements, rents and other tenures whatever being within the same town of Bristol, it's suburbs and precincts, for the purpose of levying a <sup>17</sup>fine thereon, the mayor and sheriff of the same town of Bristol for the time being shall have cognizance thereof; and before them in full court in the guildhall of the said town of Bristol a fine thereof shall be levied (due course of law being observed) by virtue of any writ of

Mayor shall have power to recognize deeds.

Mayor and sheriff shall have power to levy fines.

gentium, factas per quascunque personas (mulieribus maritatis exceptis) in plenâ curia in le guildhall ejusdem villæ: ita quòd hujusmodi cartæ et scripta debitè recognita ac in rotulis de le guildhall ejusdem villæ Bristoll' irrotulata extunc de recordo erga personas quascunque sint, ut cartæ et scripta recognita ac irrotulata in cancellariâ nostrâ vel in aliis curiis nostris. **Et quod** cum quæcunque brevia originalia, sive de conventionone sive alia, inter aliquas partes de quibuscunq' terris, tenementis, redditibus, et aliis tenuris infra eandem villam Bristoll', suburbia et præinctus existentibus ad finem inde levandum in posterum in cancellariâ nostrâ vel hæredum nostrorum impetrata fuerint; major et vicecomes ejusdem villæ Bristoll' pro tempore existentes cognitionem inde habeant; ac coram eis in plenâ curiâ in le guildhall dictæ villæ Bristoll' finis inde vigore cujuslibet brevis hujusmodi pro summâ pecuniæ rationabili per partes illas, prout

(16) *Recognizances.*] ' It was in the times before the conquest a common practice to recognize deeds, concords, and last wills in the county-court; which being entered in the acts of the court was irrefragable. But after the Norman conquest, when the king's courts were established, they came to recognize in the king's court of common pleas, &c.' North's *Life of Lord Guildford*, 1, p' 203; the

whole passage is too long for insertion. It seems therefore that this right formerly inherent in the county-courts was now restored to the county-court of Bristol.

(17) *A fine.*] The same passage quoted above from the life of Lord Guildford, gives a short account of fines very intelligible even to unprofessional men.

Estreats thereof to be delivered into the exchequer.

Mayor and sheriff may receive probates of wills.

And may put them in execution.

this sort for a reasonable sum of money to be paid by those parties, as the custom is, for liberty to agree to the use of us and our heirs; and that full execution thereupon be done in the same place, as is done in our court concerning the fines levied in the same: so that the said mayor and sheriff shall cause to be delivered by their attornies their estreats on this behalf every year on the morrow of Michaelmas day under their seals at the exchequer of us and our heirs. **And that** the same mayor and sheriff and their successors for ever shall have power of receiving probates of wills of lands, tenements, rents and tenures devised within the said city of Bristol, it's suburbs and precincts within two years after the death of the testator; so that such wills and legacies being proclaimed in full court of the guildhall of the said town of Bristol, and enrolled in the rolls of the said court, after such proclamation and enrolment shall be of record; and from that time the same mayor and sheriff and their successors shall have power of putting the said legacies in execution by means of their officers in form of law, or by due process to be made before them by writ of <sup>19</sup>*Ex gravi querela* at the prosecution and choice of any one who shall be willing to prosecute. **And we** have also

moris est, pro licentiâ concordandi, ad opus nostrum et hæredum nostrorum, solvendâ (debito juris ordine servato) levetur, et inde ibidem sicut in curiâ nostrâ de finibus in eâdem levatis executio plena <sup>18</sup> [*supple fiat*]: ita quòd dicti major et vicecomes extractas suas in hac parte quolibet anno in crastino Sti Michaelis sub sigillis suis ad scaccarium nostrum et hæredum nostrorum per attornatos suos liberari faciant. **Et quòd** iidem major et vicecomes et successores sui in perpetuum habeant potestatem recipiendi probationes testamentorum de terris, tenementis, redditibus et tenuris infra dictam villam Bristoll', suburbia et præcineta legatis infra biennium post mortem testatoris; ita quòd hujusmodi testamenta et legata proclamata in plenâ curiâ de le guildhall dictæ villæ Bristoll', et in rotulis ejusdem curiæ irrotulata, post hujusmodi proclamationem et irrotulamentum sint de recordo; et habeant ex tunc iidem major et vicecomes et successores sui potestatem ponendi legata prædicta in executione per ministros suos in formâ juris vel per debitum processum coram ipsis faciendum per breve de *ex gravi querela* ad prosecutionem et electionem cujuscunque prosequi volentis. **Et etiam** concessimus et confirmavimus pro nobis et

(18) *Fiat'*] inserted from the corresponding passage in charter Hen' 7.

(19) *Writ of ex gravi querela*] is a writ that lieth for him

unto whom any lands or tenements in fee within a city, towne or borough, being devisable, are devised by will; and the heir of the devisour entereth into them and detaineth them from him. Cowell.

granted and confirmed for us and our heirs to the said burgesses and their heirs and successors for ever, that all writs of us and our heirs, original as well as judicial, and other precepts and mandates touching as well us and our heirs as other persons whatsoever, which shall happen for the future to issue from the chancery, exchequer and <sup>20</sup> bench of us and our heirs and also from the common bench and the other courts of us and our heirs, or under the seal of the justices itinerant of us and our heirs, of the justices of oyer and terminer, or of the justices of us and our heirs whatever, [all such writs] whatever concerning lands, tenements, tenures, possessions, and goods and chattels being in the said town of Bristol, it's suburbs and precincts, and concerning contracts and covenants, accounts, debts, trespasses, or other things whatever done or to be done, arising or to arise within the same town of Bristol, it's suburbs and precincts (which writs, precepts and mandates, if the forementioned separation of the said town of Bristol with it's suburbs and their precincts from the aforesaid counties of Glouc' and Somers' had not been made, or if the present liberties had not

Writs shall be directed to the officers of Bristol.

hæredibus nostris dictis burgensibus et eorum hæredibus et successoribus in perpetuum, quod omnia brevia nostra et hæredum nostrorum tam originalia quam judicialia, et alia scripta [<sup>21</sup> *lege præcepta*] et mandata tam nos et hæredes nostros quam alios quoscunque tangentia, quæ a cancellariâ, scaccario, et banco nostris et hæredum nostrorum, necnon a communi banco et aliis curiis nostris et hæredum nostrorum, aut sub sigillo justiciariorum nostrorum et hæredum nostrorum itinerantium, justiciariorum ad audiendum et terminandum, vel justiciariorum nostrorum vel hæredum nostrorum quorumcunque de cetero manare contigerit quæcunque, terras, tenementa, tenuras, possessiones, et bona et cattalla in dictis villâ Bristoll', suburbiis, et præcinctibus existentia, et contracta et conventiones, computa, debita, transgressiones, aut alias res quascunque infra eandem villam Bristolliam, suburbia et præcinctus facta vel facienda, emergentia vel emergenda, concernentia, (quæ quidem brevia, præcepta et mandata, si supra dicta separatio dictæ villæ Bristoll' cum suburbiis suis et eorum præcinctibus à prædictis comitatibus Gloucester' et Somersett' facta, seu præsentis libertates præfatis burgensibus per nos in formâ prædictâ concessæ non fuissent, vicecomitibus, esceatoribus et coronatoribus dictorum comitatum

(20) *Bench.*] The bench of us is the King's Bench; the common-bench is the court of common-pleas.

(21) *Præcepta*] corrected from the next page and from the charter of Henry 7. See the note near the beginning of that charter on the words *have granted*.

been granted by us to the said burgesses in form aforesaid, ought to have been directed to the sheriffs, escheators, and coroners of the said counties of Glouc' and Somers' jointly or separately) shall for the future for ever be directed to the said sheriff, escheator and coroner of Bristol for the time being jointly or separately, as is suitable, and not otherwise, according to the nature of the same writs, precepts and mandates, to be executed by the same sheriff, escheator and coroner of Bristol duly, as belongs to the offices of sheriff, escheator and coroner. **And moreover** we have granted for us and our heirs to the aforesaid burgesses and their heirs and successors for ever, that the said town of Bristol shall not in any ways be burthened to send more than <sup>22</sup> two men only to the Parliaments of us and our heirs, as has been customary hitherto: which two men shall be bound to answer for the same town and borough in those parliaments, both as knights of the county of Bristol, and as burgesses of the town and borough of Bristol. **And that** if in any usages or customs or rules had and practised or arising anew in the said town of Bristol, its suburbs and precincts, there shall be any difficulties or defects in which no

The town shall not send more than two men to parliament.

Gloucestre' et Somersett' conjunctim vel divisim dirigi debuissent) præfatis vicecomiti, escheatori et coronatori Bristoll' pro tempore existentibus conjunctim vel divisim, prout convenit, et non aliter de cetero perpetuis temporibus dirigantur jura naturam Brevium, præceptorum et mandatorum eorundem per eosdem vicecomitem, escheatorem et coronatorem Bristollæ debitè, prout ad officia vicecomitis, escheatoris et coronatoris pertinet, exequenda. **Et insuper** concessimus pro nobis et hæredibus nostris præfatis burgensibus et eorum hæredibus et successoribus in perpetuum, quòd dicta villa Bristoll' aliquatenus non oneretur ad mittendum ad Parliamenta nostrà vel hæredum nostrorum nisi duos homines duntaxat, prout antea fieri consuevit: qui quidem duo homines tam ut milites comitatus Bristoll' quàm ut burgenses villæ et burgi Bristoll' pro eisdem villà et burgo in parliamentis illis respondere teneantur. **Et quod si** in aliquibus <sup>23</sup> custumariis sive consuetudinibus aut ordinibus in dictis villà Bristoll', suburbiis et præcinctibus habitis et usitatis aut de novo emergentibus difficultates vel defectus fuerint in

(22) *Two men.*] This clause was evidently inserted, lest possibly it might be supposed, that in addition to the two deputies which Bristol used to send as a borough, it should now be burthened with two more as a county.

(23) *Custumariis.*] In the correspondent passage of the charter 1499 the word is *custumis*; which is probably right.

remedy is yet applied, the same mayor and sheriff and their successors with the assent of the commonalty of the town of Bristol, it's suburbs and precincts aforesaid, shall be empowered to elect successively from time to time <sup>24</sup>forty men of the better and more honest men of the same town, suburbs and precincts, which mayor, sheriff and forty men for the time being by their common consent shall have power of ordaining and establishing a competent remedy in the cases aforesaid, such as shall be reasonable and useful to the commonalty aforesaid, and to others who resort to the town of Bristol aforesaid: **And that** the said mayor, sheriff and forty men and their successors, according to the necessities and profits touching the said town of Bristol, it's suburbs and precincts, by their common consent shall be empowered to assess <sup>25</sup>taxes upon the goods of all men of the town of Bristol, it's suburbs and precincts aforesaid, of every one according to his estate, as well upon his rents, as according to his mysteries and merchandizes and otherwise, as they shall see best to be done, and to levy them without impeachment of us or our heirs, the justices or other officers of us or our heirs whatever; **So that** the monies thence arising

The mayor and sheriff may choose 40 men as a council.

Who shall have power to levy rates and taxes.

quibus remedium nondum est appositum, iidem major et vicecomes et eorum successores de assensu communitatis villæ Bristoll', suburbiorum et præcinctuum prædictorum eligere poterunt successivè de tempore in tempus quadraginta homines de melioribus et probioribus hominibus villæ, suburbiorum et præcinctuum eorundem, qui quidem major, vicecomes et quadraginta homines pro tempore existentes de communi assensu suo potestatem habeant ordinandi et stabilendi competens remedium in casibus antedictis, quod consonum fuerit rationi et utile pro communitate prædictâ et aliis confluentibus ad villam Bristoll' prædictam: **Et quod** dicti major, vicecomes et quadraginta homines et successores sui pro necessitatibus et proficuis dictam villam Bristoll', suburbia et præcinctus tangentibus de communi assensu suo super bonis omnium hominum villæ Bristoll', suburbiorum et præcinctuum prædictorum de quolibet juxta statum suum tam super redditibus suis quàm pro mysteriis et merchandizis suis et aliter, prout melius faciendum viderint, tallagia assidere poterunt et ea levare absque impetitione nostrâ vel hæredum nostrorum, justiciariorum aut aliorum ministrorum nostrorum vel hæredum nostrorum quorumcunque; **Ita quod** denarii inde provenientes remaneant in custodiâ duorum proborum

(24) *Forty men.*] The appointment of these forty persons, with the extensive powers here granted to them, established the common-council nearly in the same form as it exists at present, although not under that name.

(25) *Taxes*] *tallagia*. *Tallage* is a general word for all taxes; so called from the French *taille*, being part of a man's property cut out of the whole by way of tribute.

Two treasurers appointed.

Treasurers shall be accountable.

Persons who are disobedient to the ordinances,

And who make contentions,

may remain in the custody of two honest men of the same town, suburbs and precincts of Bristol, to be chosen to this office by common consent, and shall be expended out of the custody of the said two men for the necessities and profits of the said town of Bristol, it's suburbs and precincts, when there shall be occasion: which two men shall be accountable for the same before the mayor of Bristol for the time being and others to be deputed for the purpose by the commonalty of the said town of Bristol. **And if** any one of the said town of Bristol, it's suburbs and precincts shall hereafter be rebellious and disobedient, and will not conform himself to the ordinances of the said mayor and sheriff and forty men aforesaid, who for the time shall be; and also if any of the said company [of forty men] shall be procurers, abettors, or maintainers for the purpose of drawing the men of that company to make debates and hindrances, from whence discord may arise between the commonalty of the said town of Bristol and the said mayor and sheriff and other officers who shall have the keeping of the peace of us and our heirs, and the good order of the same town; or for the purpose of making debates and discord about the election of mayor, sheriff or other officer of the said town,

hominum eorundem villæ Bristoll', suburbiorum et præcinctuum de communi assensu ad hoc eligendorum, et pro necessitatibus et proficuis dictorum villæ Bristoll', suburbiorum et præcinctuum, cum opus fuerit, extra custodiam dictorum duorum hominum expendentur; qui quidem duo homines computabiles inde erunt coram majore Bristoll' pro tempore existente et aliis ad hoc deputandis per communitatem dictæ villæ Bristoll'. **Et si** quis de dictâ villâ Bristoll', suburbiis seu præcinctibus in posterum rebellis et inobediens fuerit, et se concordare noluerit ordinationibus dictorum majoris et vicecomitis ac quadraginta hominum prædictorum, qui pro tempore erunt, et etiam si aliqui dictæ societatis procuratores, abettatores aut manutentores fuerint ad ducendum homines societatis ad debata et impedimenta facienda, unde discordia [26 *supple sit, vel oriatur*] inter communitatem dictæ villæ Bristoll' et dictos majorem et vicecomitem et alios ministros, qui pacem nostram et hæredum nostrorum, et regimen ejusdem villæ custodiendum habuerint, seu ad faciendum debata et discordiam super electionem majoris, vice-

(26) *Supple oriatur.*] There is the same omission in the parallel passage in the charter of Hen' 7, and the word is

omitted in both translations; yet I have no doubt that it was inserted in the first original.

suburbs and precincts; or for the purpose of hindering any ordinances which have been established and ordained or shall be ordained by common consent, as is premised, and for the profit and necessity of the said town, suburbs and precincts of Bristol, that they shall immediately be punished in due manner by the mayor and sheriff of the said town of Bristol for the time being according to the quantity and quality of the offence according to the law and custom of our said kingdom. **And we have** also granted for us and our heirs to the burgesses aforementioned that besides the liberties and acquittances aforesaid now granted by us to the same burgesses, as is premised, and notwithstanding our said grants or any thing contained in the same, the said burgesses and their heirs and successors for ever shall have all other liberties and acquittances already granted to them as well by our progenitors as by ourselves, and also all other their customs and their profits thence arising, and shall fully enjoy and use them; as they and their predecessors have always hitherto (from the time at which those same other liberties and acquittances have been so granted to the same burgesses by our said progenitors

Shall be punished.

Confirmation of former privileges.

comitis aut alterius ministri dictæ villæ, suburbiorum et præinctuum, seu ad implendum [et impediendum] aliquas ordinationes, quæ de communi assensu, ut præmittitur, et pro proficuo et necessitate dictorum villæ Bristoll', suburbiorum et præinctuum stabilitæ sunt et ordinatæ seu ordinandæ; statim per majorem et vicecomitem dictæ villæ Bristoll' pro tempore existentes juxta quantitatem et qualitatem delicti secundum legem et consuetudinem dicti regni nostri modo debito castigentur. **Et etiam** concessimus pro nobis et hæredibus nostris burgensibus antedictis, quòd præter libertates et quietancias prædictas per nos eisdem burgensibus jam ut præmittitur concessis, ac non obstantibus dictis concessionibus nostris seu aliquibus in eisdem contentis, dicti burgenses et eorum hæredes et successores in perpetuum habeant omnes alias libertates et quietancias eis tam per progenitores nostros quam per nos prius concessas, necnon omnes alias consuetudines suas et sua proficua inde provenientia, et eis plenè gaudeant et utantur; prout ipsi et eorum predecessores semper hactenus (à tempore quo eadem aliæ libertates et quietanciæ

(37) *Implendum.*] The conjectural emendation proposed in the text cannot be doubted; yet it is certainly an early, if not an original, mistake of the copyist; for it is repeated in the charter of Hen' 7, and it is in both translations in both places, although the sense of the passage be entirely perverted.

or by ourselves, or otherwise from time to the contrary of which there is no memory) been accustomed to have the other said liberties, acquittances and customs together with the profits thence arising, and to use and enjoy them without obstruction or impediment of us or our heirs, the justices, eschaetors, sheriffs, or other bailiffs or officers of us or our heirs whatever. **Wherefore** we will and strictly command for us and our heirs that the aforesaid burgesses and their heirs and successors shall have all and singular the liberties and acquittances aforesaid, and may for ever fully enjoy and use them and any one of them in form aforesaid. **These being** witnesses; the reverend fathers <sup>28</sup> William, archbishop of Canterbury, primate of all England; <sup>29</sup> William, bishop of Winchester; <sup>30</sup> John, bishop of Bath and Wells; <sup>31</sup> William, bishop of Worcester;

eisdem burgensibus per dictos progenitores nostros vel nos sic concessæ fuerint, seu aliter à tempore cuius contraria memoria non existit) dictas alias libertates, quietancias et consuetudines unà cum proficuis inde provenientibus habere eisque uti et gaudere consueverunt, sine occasione vel impedimento nostri vel hæredum nostrorum, justiciariorum, esceatorum, vicecomitum, aut aliorum ballivorum seu ministrorum nostrorum aut heredum nostrorum quorumcunque. **Quare** volumus et firmiter præcipimus pro nobis et hæredibus nostris, quòd prædicti burgenses et eorum hæredes et successores habeant omnia et singula libertates et quietancias supradicta, et eis et earum quâlibet plenè gaudeant et utantur in perpetuum in formâ supra dictâ. **His testibus,** venerabilibus patribus Willielmo, archiepiscopo Cantuarensi totius Angliæ primato; Willielmo Winton'; Johanne Bathon' et Wellen'; Willo' Wigorn', episcopis; Edmundo Cantabrig',

(28) *William n' b' of Cant.'*] William Wittlesey, elected a' b' 1368; he died about a year after this charter was granted. As he was now present with the king at Woodstock, it cannot be literally true which Godwin relates of him, that he kept his bed for two whole years; for so I understand the following passage: *In duabus synodis sua auctoritate coactis Latine concionatus est magnâ facundiæ ac eruditionis laude. In earum postremâ dum adhuc in suggestu consisteret ægritudine corripitur, ut synodo amplius interesse non potuerit; atque duos totos annos decubuit.*

(29) *William bishop of Winch'*] William of Wickham, late lord chancellor, the illustrious founder of Winchester college, &c.

(30) *John b' of Bath.*] John Harewell.

(31) *William bish' of Worc'*] William de Lynne. About three months after this date, while mounting his horse to go to parliament, he was seized with a fit of apoplexy, and died Nov' 18, 1373.



<sup>32</sup> Edmund, earl of Cambridge; <sup>33</sup> Edmund earl of Marche;  
<sup>34</sup> John Knevet, our chancellor; Richard Lestrop, our treasurer;  
<sup>35</sup> William Latimer, our chamberlain; and others. Given by  
 our hand at Woodstock, on the 8th day of August, in the  
 47th year of our reign of England; but of our <sup>36</sup> reign of France  
 the 34th.

Edmundo Marchiæ comitibus; Johanne Knevet, cancellario; Richardo Lestrop, thesaurario; Willelmo Latimer, camerario nostris; et aliis. Datum per manum nostram apud Woodstock octavo die Augusti, anno regni nostri Angliæ quadragesimo septimo, regni verò nostri Franciæ tricesimo quarto.

(32) *Edmund e' of Cambr.*] Edmund de Langley, fifth son of k' Edw' 3, created Duke of York in the next reign; the founder of the house of York.

(33) *Edmund e' of Marche.*] This Edmund Mortimer was third earl of Marche, great grandson (says Sandford, grandson says Anderson) of Roger Mortimer, first earl of Marche, the unworthy favourite of Isabella, the king's mother, which Roger was put to death in 1330. Edmund, the present witness, in 1368, had married Philippa d' and heiress of Lionel, duke of Clarence, king Edward's eldest surviving son, and died at Cork in 1382. In consequence of this marriage his son was heir to the crown, and his descendant, Edward 4, succeeded to it.

(34) *Knevet.*] Sir John Knevet, knight-bachelor, was

appointed by parliament one of the regents of the kingdom, 1 Ric' 2.

(35) *Latimer.*] 'The parliament [in 1376] bitterly complained of the ill management of the king's ministers: ————— they even petitioned the king to remove from his person the duke of Lancaster, his son; Alice Pierce; Latimer, lord chamberlain; and others that were most in his favour.' Rapin 1376.—The parliament, however, in the next year, appointed William, lord Latimer, one of the regents of the kingdom.

(36) *Our reign of France.*] The date of k' Edw' the Third's reign over France is taken from March 1, 14 Edw' 3, A' D' 1339-40. Vide Sandford's *Geneal' Hist'* p. 160.

## XIII.

LETTERS PATENT, 1 SEPT' 47 EDW' III.

i' e' 1373.

**E**dward by the grace of God king of England and France and lord of Ireland to the reverend fathers in Christ John bishop of Bath and Wells, William bishop of Worcester; and to his beloved in Christ Walter abbot of Glastonbury, and Nicholas abbot of Cirencester; and to his beloved and faithful Edmund Clivedon, Richard de Acton, Theobald Gorges, Henry Percehay, Walter Clopton, and John Sergeaunt [sends] health. **Know ye**, that whereas on the 8th day of August last past we granted and by our charter confirmed, for us and our heirs, to our beloved the burgesses of our town of Bristol and their heirs and successors for ever, that the said town of Bristol, it's suburbs and the precincts of the same should for the future be separated equally from the counties of Glou-

XIII. *Literæ Patentis, 1 Sept' 47 Edw' 3, i' e' 1373.*

**Edwardus** Dei gratiâ rex Angliæ et Franciæ et dominus Hiberniæ venerabilibus in Christo patribus Johanni episcopo Bathoniensi et Wellensi, Willelmo episcopo Wigorn', et dilectis sibi in Christo Waltero abbati Cirencestr', ac dilectis et fidelibus suis Edmundo Clivedon, Richardo de Acton, Theobaldo Gorges, Henrico Percehay, Waltero Clopton et Johanni Sergeaunt, salutem. **Sciatis**, quòd cum octavo die Augusti proximè præterito concessimus et per chartam nostram confirmavimus pro nobis et hæredibus nostris dilectis nobis burgensibus villæ nostræ Bristoll' et eorum hæredibus et successoribus in perpetuum, quòd prædicta villa Bristoll' cum suburbiis suis et præcinctibus eorundem de comitatibus Glouc' et Somerset' de cetero separata

cester and Somerset and in all things exempted as well by land as by water; and that it should be for ever a county by itself and called the county of Bristol; and that the said burgesses and their heirs and successors for ever should have within the said town of Bristol and suburbs of the same, and their precincts certain liberties and acquittances, and should fully enjoy and use them, as in our said charter is more fully contained; **We** being willing to be certified concerning the metes and bounds of the town and suburbs aforesaid and the precincts of the same; and that perpetual divisions by means of certain metes and bounds be made between the same town, suburbs and precincts now in such manner being and called the county of Bristol, and the counties of Gloucester and Somerset; and that for the future as well the aforesaid divisions, as the precincts of the said counties of Bristol, Gloucester and Somerset be put in certainty by means of certain metes and bounds; and that there may be no ambiguity hereafter concerning the metes and divisions of the three said counties; **We have** appointed you nine, eight, seven, and six of you for the purpose of faithfully making a perambulation between the counties of Bristol and the precincts of the same as well by land as by water, and the said counties of Gloucester and Somerset on the outside of the precincts of the same county of Bristol,

The king willing to know the bounds of the town and counties

Appoints commissioners to make a perambulation.

sit pariter, et in omnibus exempta tam per terram quàm per aquam; et quòd sit comitatus per se et comitatus Bristoll' nuncupatus in perpetuum; et quòd dicti burgenses et eorum hæredes et successores sui in perpetuum habeant infra dictam villam Bristoll' et suburbia ejusdem et eorum præcinctus certas libertates et quietancias et eis plenè gaudeant et utantur, prout in [supple dictâ] cartâ nostrâ plenius continetur; **Nos** volentes certiorari super metis et boundis villæ et suburbiorum prædictorum ac præcinctibus eorundem, et quòd inter eandem villam, suburbia et præcinctus jam comitatum Bristoll' sic existentem et nuncupatum, et comitatus Gloucestr' et Somersett' divisæ perpetuæ per certas metas et boundas fiant, et de cætero per metas et boundas illas tam divisæ prædictæ quàm præcinctus dictorum comitatum Bristoll', Glouc' et Somers' in certo ponantur; nec super metis et divisis dictorum trium comitatum ambiguitas in posterum habeatur; **Assignabimus** vos, novem, octo, septem et sex vestrum justiciarios nostros ad perambulationem inter comitatum Bristoll' et præcinctus ejusdem tam per terram quàm per aquam, et dictos comitatus Gloucestr' et Somersett' extra præcinctus ejusdem comitatus Bristoll'

by the oaths as well of knights as of other good and lawful men as well out of the said counties of Glouc' and Somers' as out of the said county of Bristol both within liberties and without, by whom the truth of the matter may be better known; and for the purpose of placing in that perambulation certain marks and metes and divisions, which may be known for ever, between the said precincts of the county of Bristol and the said counties of Glouc' and Somers'. And therefore we order you, that at certain days and places, which you nine, eight, seven or six of you shall appoint for this purpose, you attend to the premises and to the making that perambulation in form aforesaid. We have also ordered our sheriffs of the said counties of Glouc' and Somers' and the mayor of the said town of Bristol, that at certain days and places, which you nine, eight, seven, or six of you shall make known to them, they cause to come before you nine, eight, seven or six of you, so many and such knights and other good and lawful men of the three counties aforesaid as well within liberties as without, by whom the truth of the matter in the premisses may be better known; and that you cause inquisition to be made and notice to be given to us in our chancery, as soon as you conveniently can, wherever we shall then be, under your seals or the seals of nine, eight, seven or six of you,

And to certify  
the same in  
chancery.

per sacramenta tam militum quam aliorum proborum et legalium hominum, tam de dictis comitatibus Glouc' et Som', quam dicto comitatu Bristoll' tam infra libertates quam extra, per quos rei veritas melius sciri poterit, fideliter faciendam; et ad certa signa et metas et divisas, quæ in perpetuum cognosci valeant inter dictos præcinctus comitatus Bristoll' et dictos comitatus Glouc' et Somers' in perambulatione illà ponenda. Et ideò vobis mandamus, quòd ad certos dies et loca, quos vos, novem, octo, septem vel sex vestrum ad hoc provideritis, circà præmissa intendatis et perambulationem illam factam [*lege faciendam*] in formà prædictâ. Mandavimus enim [*l' etiam*] vicecomitibus nostris dictorum comitatum Gloucest' et Somers' ac majori dictæ villæ Bristoll', quòd ad certos dies et loca quos vos, novem, octo, septem vel sex vestrum eis sciri faciatis, venire faciant coram vobis, novem, octo, septem vel sex vestrum tot et tales tam milites quam alios probos et legales homines de tribus comitatibus prædictis tam infra libertates quam extra, per quos rei veritas in præmissis melius sciri poterit; et inquiri et sciri faciatis nobis in cancellariâ nostrâ ad citius quo commodè poteritis, ubicunque tunc fuerimus, sub sigillis

and under the seals of four lawful knights out of those who shall have been present at that perambulation, by what marks, metes and divisions that perambulation has been made. In witness whereof we have caused these our letters to be made Patent. **Witness** 'myself at Westminster on the first day of September, in the year of our reign over England the 47th, but of our reign over France the 34th.

vestris, novem, octo, septem, vel sex vestrum et sigillis quatuor legalium militum, ex illis qui perambulationem illam interfuerint, per quæ signa, metas et divisas perambulatio illa facta fuerit, In cujus rei testimonium has literas nostras fieri fecimus patentes. **Ceste** meipso apud Westmonasterium primo die Septembris anno regni nostri Angliæ quadragesimo septimo, regni verò nostri Franciæ tricesimo quarto.

(1) The first example of this mode of testing, which our charters afford.

## XIV.

### PERAMBULATION OF THE BOUNDS, SEPT' 30, 47 EDW' III. i' e' 1373.

**O**ur lord the king directed his letters patent to the reverend fathers in Christ John bishop of Bath and Wells, William bishop of Worcester, and his beloved in Christ Walter Abbot of Glastonbury and Nicholas abbot of Cirencester, and his faithful Edmund Cliveden, Richard de Acton, Theobald Gorges, Henry Percehay, Walter Clopton, and John Sergaunt in these words. Edward by the grace of God king, &c. [*here follow the Letters Patent No. 13.*] By authority of which letters it was ordered by the aforesaid justices as well to each sheriff of the aforesaid counties of Gloucester and Somerset, as to the mayor of the town of Bristol, that each of them should cause to come before the aforesaid justices, nine, eight, seven or six of them

#### XIV. *Perambulatio metarum retornata in Cancellariam,* *Sept' 30, 47 Edw' 3, i' e' 1373.*

**D**ominus rex mandavit venerabilibus in Christo patribus Johanni episcopo Bathon' et Wellen', Willelmo episcopo Wigorn, et dilectis sibi in Christo Waltero abbati Glaston' et Nicholao abbati Cirencestr', ac dilectis et fidelibus suis Edmundo Cliveden, Richardo de Acton, Theobaldo Gorges, Henrico Percehay, Waltero Clopton, et Johanni Sergaunt literas suas patentes in hæc verba. Edwardus Dei gratiâ rex, &c. Quarum literarum prætextu præceptum fuerat per præfatos justiciarios tam utrique vicecomiti prædictorum comitatuum Glouc' et Somers' quam majori villæ Bristoll', quòd quilibet eorum venire facerent coram præfatis justiciariis, novem, octo, septem

at Temple-gate, which is in the aforesaid town of Bristol and in the confines of the three counties aforesaid, on Friday the morrow of St. Michael the Archangel next following, twenty-four as well knights as other good and lawful men of their bailiwicks both within liberties and without, to do those things which should be there enjoined them on the part of our lord the king. And by virtue of the aforesaid mandate, and also of the writs of our lord the king directed to them before concerning attending to those things, each of the sheriffs and the mayor aforesaid before the said Edmund Clivedon, Richard de Acton, Theobald Gorges, Henry Percehay, Walter Clopton, and John Sergeaunt came at the aforesaid place called Temple-Gate on the day aforesaid, and returned a certain <sup>1</sup>panel of twenty-four, as well knights as other good and lawful men, &c. as well within liberties as without, in order to do those things, &c: on which day proclamations being made before the said Edmund, Richard, Theobald, Henry, Walter Clopton, and John Sergeaunt at Temple-Gate, that all those who had any evidences for making the metes and divisions aforesaid should

vel sex eorum apud Temple Gate, quæ est in prædictâ villâ Bristoll' et in confinibus trium comitatum prædictorum die Veneris in Crastino Sancti Michaelis archangeli tunc proximo sequente viginti quatuor tam milites quam alios probos et legales homines de ballivis suis, tam infra libertates quam extra, ad faciendâ ea quæ ex parte domini regis eis ibidem injungerentur. Et virtute mandatorum prædictorum ac etiam brevium domini regis de intendendo eis inde prius directorum, quilibet vicecomites et major prædicti coram præfatis Edmundo Clivedon, Ricardo de Acton, Theobaldo Gorges, Henrico Percehay, Waltero Clopton, et Johanni Sergeaunt apud prædictum locum vocatum Temple Gate prædicto die <sup>1</sup>Veneris [*venerunt*] et retornaverunt quoddam panellum viginti quatuor tam militum quam aliorum proborum et legalium hominum, &c. tam infra libertates quam extra, ad faciendâ ea, &c: ad quem diem coram præfatis Edwardo, Ricardo, Theobaldo, Henrico, Waltero Clopton, et Johanne Sergeaunt apud Temple Gate proclamationibus factis, quod omnes illi, qui evidencias aliquas habuerint ad metas et divisas prædictas faciendas eis ostenderent et declararent; et omnibus hujusmodi evidentiis propositis et

(1) *Veneris.*] In the Bodl' MS. it is written *Veneris* at length; and probably the *Inspeximus* of Charles 2. in the Council-house has the same, because both translations have rendered it *on Friday*, making the passage unintelligible. The emendation *venerunt* is from conjecture, but an in-

spection of the original will certainly confirm it: the error must have arisen from the contraction *vener'*.

(2) *Panel.*] a list or schedule of persons to serve on juries.

shew and declare them to them; and all the evidences of this sort, which were proposed and declared, having been heard, understood and examined with full and mature deliberation both by the justices aforesaid and by twelve as well knights as other good and lawful men of each of the three counties aforesaid elected and sworn for that purpose, the justices aforesaid proceeded to make a perambulation on the metes and divisions aforesaid by the oaths of the good and lawful men aforesaid, viz. of Robert Chedre, Walter Frampton, Walter Derby, Elias Spilley, Richard Bromdon, William Cumbe, John <sup>3</sup>Jackson the elder, William Woodford, William Somervell, John Viell, and John Somervell of the said county of Bristol; of Ralph Wallys, John Croke, John de Weston the younger, John Kent de Wike, Robert <sup>4</sup>Atthy, John Wesburne, Laurence Campe, John Wicken Wick, William <sup>5</sup>Atteante, Robert <sup>6</sup>Tellare, Thomas Overnon and Thomas Attheath of the aforesaid county of Gloucester; and of John Beckett, Walter Lawrence, William <sup>7</sup>Sambrooke, Simon Draycott, John Babington, Richard

declaratis tam per prædictos justiciarios, quàm per duodecim tam milites quàm alios probos et legales homines cujuslibet prædictorum trium comitatum ad hoc electos et juratos, auditis, intellectis et cum plenâ et maturâ deliberatione examinatis, processum fuit per præfatos justiciarios ad perambulationem super metis et divisio prædictis faciendam per sacramenta proborum et legalium hominum prædictorum, videlicet, Roberti Chedre, Walteri Frampton, Walteri Derby, Ellizæ Spilley, Ricardi Bromdon, Willelmi Cumbe, Johannis Jackson senioris, Willelmi Woodford, Willelmi Somervell, Johannis Viell, Henrici Viell, et Johannis Somervell de prædicto comitatu Bristoll'; Radulphi Wallys, Johannis Croke, Johannis de Weston junioris, Johannis Kent de Wike, Roberti <sup>4</sup>Atthy, Johannis Wesburne, Laurence Campe, Johannis Wicken Wick, Willelmi <sup>5</sup>Atteante, Roberti <sup>6</sup>Tellare, Thomæ Overnon, et Thomæ Attheath de prædicto comitatu Glouc'; et Johannis Beckett, Walteri Lawrence, Willelmi Sambrooke, Symonis Draycott, Johannis Babington, Ricardi Calweton, Ricardi Oldmixon, Ricardi Sheyne

(3) *Jackson.*] The former translation has *Hackston*.

translator has *Attmull*.

(4) *Atthy.*] *Athay* in the former transl'.

(6) *Tellare.*] *Tollar* in the former translation.

(5) *Atteante.*] Not very legible in Bodl' MS. the former

(7) *Sambrooke.*] *Lambrook* in the old transl'.



Calweton, Richard Oldmixon, Richard Sheyne de <sup>8</sup>Acton, Richard English, Thomas Attemulle, Richard Neal and John Arthur of the aforesaid county of Somerset; who say upon their oaths that the metes and bounds between the divisions of the three said counties <sup>9</sup>are these; viz. that **beginning** the said perambulation at the end of the common wall of the same town of Bristol, which wall extends itself from a certain tower of the same town called *Tower-harratz*, into the water of Avon on the eastern part of the same town, which water is in the same place the division between the said county of Glouc' on the north part and the said county of Bristol on the south part: and so going upwards from the same end of the said wall by the <sup>10</sup>end of the same water of Avon strait eastward to a stone lately fixed at the end of the ditch of a certain <sup>11</sup>croft called *the Hales*; which ditch is between the said county of Bristol and county of Somerset on the south part of the same county of Bristol: and from the said end of the same ditch on a line along the same ditch on the north side of the same ditch westward to a great stone fixed at the western

de Acton, Ricardi English, Thomæ Attemulle, Ricardi Neal et Johannis Arthur de prædicto comitatu Somersett'; qui dicunt super sacramenta sua, quòd metæ et boundæ inter divisas prædictorum trium comitatum sunt istæ; quod videlicet **Incipiendo** perambulationem prædictam ad finem communis muri ejusdem villæ Bristoll', qui se extendit à quâdam turri ejusdem villæ vocatâ *Tower-harratz* in aquam Avonæ in orientali parte ejusdem villæ, quæ quidem aqua ibidem est divisa inter prædictum comitatum Glouc' in parte boreali, et prædictum comitatum Bristoll' in parte australi; et sic ab eodem fine prædicti muri ascendendo per finem ejusdem aquæ Avonæ directè versus orientem usque ad lapidem de novo fixum ad finem fossati cujusdam crofti, vocati *le Hales*; qui quidem fossatus est inter dictos comitatum Bristoll' et comitatum Somers', in parte australi ejusdem comitatûs Bristoll': et à dicto fine ejusdem fossati linealiter per eundem fossatum ex parte boreali ejusdem fossati versus occidentem usque ad magnum lapidem fixum ad occidentalem cornerum ejusdem fossati juxta regiam viam quæ ducit

(8) *De Acton.*] *Of Ashton* in the old transl'.

(9) *Are these* ] These original bounds on the Gloucestershire side of the river continue in use to the present time, altho' additions have been made to the city. On the Somersetshire side the modern additions have nearly inclosed the old bounds.

(10) *The end.*] *The edge or margin* is the sense which seems to be required; in which case *marginem* is the usual word. Perhaps *finem* is an error for *flum.*

(11) *A Croft*] is a small field or paddock adjoining to the dwelling-house.

corner of the same ditch near the king's highway which leads from Temple-gate towards Bath: and from the same stone along the same road along the ditch of the same road southward on the eastern part of the same road to another stone fixed on the eastern part of a certain bridge called <sup>12</sup>*Pill-hill-bridge*: and from that stone to a spring in the way near the same bridge: and from the same spring strait westward to another stone fixed near the hedge of <sup>13</sup>*Aldeburiam* between the king's highway, which leads from the town of Bristol towards Pensford, and the same hedge: and so going down towards the north along the same road towards Bristol to a stone fixed at the northern angle of a certain meadow called *Waremead*: and from that angle strait westward along a certain ditch to a great stone fixed in a corner of the same ditch in the same meadow: and from the same stone northward and by another ditch to another great stone fixed in another corner of the same meadow: and so strait along the same ditch westward to another great stone fixed near the same meadow in the angle of the ditch of a certain croft, which formerly be-

de Temple Gate versus Bathoniam: et ab eodem lapide per eandem viam per fossatum ejusdem viæ versus australem ex parte orientali ejusdem viæ usque ad alium lapidem fixum ex parte orientali cujusdam pontis vocati *Pill-hill-bridge*: et de illo lapide usque ad fontem in itinere juxta eundem pontem: et ab eodem fonte directè versus occidentem usque ad alium lapidem fixum juxta sepem de Aldeburiam, inter regiam viam, quæ ducit à villâ Bristol' versus Pensford et eandem sepem: et sic descendendo versus boream per eandem viam versus Bristoll' usque ad lapidem fixum ad angulum borealem cujusdam prati vocati *Waremead*: et ab illo angulo directè versus occidentem per quendam fossatum usque ad magnum lapidem fixum in cornero ejusdem fossati in eodem prato: et ab eodem lapide versus boream, et per alium fossatum usq ad alium magnum lapidem fixum in alio cornero ejusdem prati: et sic directè per eundem fossatum versus occidentem usque ad alium magnum lapidem fixum juxta eundem pratum in angulo fossati

(12) *Pill-hill-bridge*.] *Pile-hill-bridge* in the old translation. *Oldbury ham*. The old translation here and in the charters of earl John and king Henry 3. has *Adleburiam*, *Adlebury*.

(13) *Aldeburiam*.] The word is probably *Albury ham*, or

longed to the fraternity of <sup>14</sup>Satinors: and from that stone along another ditch northwards to another great stone fixed under a ditch near the head of a certain lane called the *Red-lane*: and from the same stone westward strait as far as another great stone fixed under the ditch of *Ergle-croft*: and thence along the same ditch southward as far as another great stone fixed in the corner of the said ditch: and from that stone on a line along the ditch of the same croft of *Ergle-croft* westward as far as another great stone fixed in the western part of the path which leads from *Knolle* towards *Redcliffe* church: and from the same stone along the same path northward as far as a great stone fixed near the wall in the eastern corner of *Redcliffe* church-yard: And from thence southward along the middle of a certain lane, which leads towards the meadow of *Langmeade* as far as another stone fixed in the same meadow at the corner of a certain croft belonging to the master of the hospital of *St. John Baptist* of *Bristol*, called *Langcroft*: and from thence in the same meadow strait along a ditch northward as far as another great stone fixed in another corner of the same meadow of *Langmead*: and from the same stone strait westward along

cujusdam crofti, qui quondam fuit fratrum <sup>14</sup>Satinorum: et ab illo lapide per alium fossatum versus boream, usque ad alium magnum lapidem fixum subtus fossatum juxta caput cujusdam venellæ vocatæ *le Redlane*: et ab eodem lapide versus occidentem directè usque ad alium magnum lapidem fixum subtus fossatum de *Ergle croft*: et deinde per eundem fossatum versus austral' usque ad alium magnum lapidem fixum in cornero ejusdem fossati; et ab illo lapide linealiter per fossatum ejusdem croftæ de *Ergle-croft* versus occidentem usque ad alium magnum lapidem fixum in occidentali parte semitæ, quæ ducit de *Knolle* versus ecclesiam de *Redcliffe*: et ab eodem lapide per eandem semitam versus boream usque ad magnum lapidem fixum prope murum in cornero orientali Coemeterii Ecclesiæ de *Redcliffe*: et ab inde versus austral' per medium cujusdam venellæ, quæ ducit versus pratum de *Lang-meade* usque ad alium lapidem fixum in eodem prato ad cornerum cujusdam croftæ Magistri Hospitalis sancti Johannis Baptistæ *Bristolliæ* vocatæ *Langcroft*: et abinde in eodem prato directè per fossatum versus boream, usque ad alium magnum lapidem fixum in alio cornero ejusdem prati de *Langmead*: et ab eodem lapide directè

(14) *Fratrum Satinorum*.] The old translations have the *brothers of Lattimore*; so that the Latin copy from whence they were made must have had *fratrum Latimorum*. The

perambulations of 1653 and 1736, printed at the end of the old translation, have the *fraternity of Sattinors*, which I have followed without knowing what it means.

a certain gutter <sup>15</sup> and a certain trench, which extends along a certain croft called *Lokeing* on the south side of the same trench as far as another great stone fixed in the corner of a certain little croft: and from thence along a certain ditch on the eastern side of the same ditch northward to another great stone fixed at the head of the same ditch in the king's highway which leads from Bristol towards Bedminster: and from thence same stone strait westward along a certain ditch on the southern side of the same king's highway as far as the middle of *Brightnee-bridge*: and from thence strait northward along a certain ditch on the western side of the same ditch as far as a stone fixed in a meadow called *Katharine-meade*, at the corner of a certain croft called *Cardiff's croft*: and from thence along a ditch of the same croft, which extends eastward, as far as another great stone fixed in the same meadow in a certain corner of the same meadow: and from thence along a certain other ditch, which extends toward *Trenelly-mill*, as far as another great stone fixed in the northern angle of the same meadow of *Katharine-mead*: and from thence along a certain ditch strait westward as far as the thread of the water of *Bishop's-worth-brook* at the western

versus occidentem per quandam gutturam et quandam trencheum quæ se extendit per quandam croftum vocatum *Lokeing* in australi parte ejusdem trenchei usque ad alium magnum lapidem fixum in cornero cujusdam parvæ croftæ: et abinde per quandam fossatum ex orientali parte ejusdem fossati versus boream usque ad alium magnum lapidem fixum ad caput ejusdem fossati in regiâ viâ quæ ducit de Bristoll' versus Bedminster: et ab eodem lapide directè versus occidentem per quandam fossatum in australi parte ejusdem viæ usque ad medium pontis *Brightnee-bridge*: et abinde directè versus boream per quandam fossatum ex occidentali parte ejusdem fossati usque ad lapidem fixum in prato vocato *Katherine-meade* ad cornerum ejusdem [*lege* cujusdam] croftæ vocatæ *Cardyffy's croft*: et abinde per fossatum ejusdem croftæ, quæ [*lege* qui] se extendit versus orientem usque ad alium magnum lapidem fixum in eodem prato in quodam angulo ejusdem prati: et abinde per quandam alium fossatum, quod se extendit versus *Trenelly Mille* usque ad alium magnum lapidem fixum in boreali angulo ejusdem prati de *Katherine-meade*: et abinde per quoddam fossatum directè versus occidentem usque ad filum aquæ de *Bishoppsworth brooke* ad occidentale caput ejusdem fossati: et sic ex transverso ejusdem aquæ versus boream

(15) *Gutter and—*] In the old translation it is a certain gutter or trench.

head of the same ditch: and so across the same water northward to a stone fixed on the northern side of the same water at the southern head of the ditch of a certain close belonging to the abbot of St. Austin's of Bristol: and from thence on a line eastward on the northern side of the pool of *Trene-mill* as far as a great stone fixed on the mill-bay of the same mill and from the same stone strait on the northern side of the same mill to another stone fixed on the water of Avon near the same mill: and from the same stone strait northward into the said water of Avon, which is there on the western side of the same county of Bristol: and so along the margin of the same water of Avon westward and on the southern side of the same water of Avon as far as *Crockerne Pill*: and from thence westward along the margin of the water of the Severn as far as <sup>16</sup>*Portshead-ford*: and from thence along the margin of the same water of the Severn westward on the southern side of the same water as far as a certain rock called <sup>17</sup>*Clevedon's Hoe*: and from

usque ad lapidem fixum in boreali parte ejusdem aquæ ad australe caput fossati cujusdam clausi abbatis sancti Augustini Bristoll': et deinde linealiter versus orientem ex parte boreali stagni de *Trene-mill*, usque ad magnum lapidem fixum super le *Mill-bay* ejusdem molendini: et ab eodem lapide directè ex parte boreali ejusdem molendini usque ad alium lapidem fixum super aquam Avonæ prope eundem molendinum: et ab eodem lapide directe versus boream in prædictam aquam Avonæ, quæ est ibi in occidentali parte ejusdem comitatus Bristoll': et sic per marginem ejusdem aquæ Avonæ versus occidentem et australi parte ejusdem aquæ Avonæ usque ad *Crockerne Pill*: et abinde versus occidentem per marginem aquæ Sabrinæ ex australi parte ejusdem aquæ Sabrinæ usque ad *partes* <sup>16</sup>*Headford* [*l'* Porteshead-ford]: et abinde per marginem ejusdem aquæ Sabrinæ versus occidentem in australi parte ejusdem aquæ usque ad quoddam saxum vocatum

[16] *Partes Headford.*] So it is in the Bodl' MS. and probably in the inspeximus copy of Charles 2; and accordingly both translations render it *the parts about Headford*. But since there is no place thereabout called *Headford*, the conjectural emendation proposed in the text is no doubt correct.—Since writing the above I have observed that Sir M' Foster in a MS. note proposes the same emendation.—The place intended is where was once a ford over the brook of Portishead, and where is now a mill, to the great detriment of the neighbouring lands.

[17] *Clevedon's Hoe.*] The Bodl' MS. has the word *hoo*; the former translations have *hoe*. *Hoo* or *hoe* or *how* is a rock — 'Hoga, &c.] *mons, collis*; unde Anglica obsoleta ' *ho* and *how* pro monte *g* in *w* mutato'. Spelm' Gloss'.—It is evidently the same word as the Scottish *heuch*, *heugh*, *heuch*, *huwe*, *hwe*, *hew*, which Jamieson interprets a *crag*, a *precipice*, a *ragged steep*. Etymol' Dict'.—The rocks, which terminate Brean-down in the Severn, some few miles below Clevedon, are called the *How-rocks*. *Plymouth-Hoe* is a rocky eminence; and places of the same kind are called *Hoe* and *How* in various parts of England.

thence strait westward in the water of the Severn aforesaid as far as the northern corner of a certain island in the same called the *Steep-Holme*; which island is the division between the said county of Somerset on the southern part, and the said county of Bristol on the eastern part, and the said <sup>19</sup>county of Gloucester on the northern part: and so from the aforesaid island of *Steep-holme* strait northward in the same water of the Severn, as far as the southern corner of a certain other island called the *Flat-holme*: and from thence strait eastward in the same water as far as the southern corner of a certain little island called <sup>20</sup>*the Dunny*: and from thence in like manner strait eastward in the same water to <sup>21</sup>*Avonroad*, which is on the northern side of the water of Avon aforesaid: and from thence along the margin of the same water of Avon on the northern

*Clyvedon's Hoo*: et abinde directè versus occidentem in aquam Sabrinæ prædictæ usque ad cornerum borealem cujusdam insulæ in eadem vocatæ *Stipholme*: quæ quidem insula est <sup>18</sup>divisa inter prædictum comitatũ Somerset' in parte australi, et prædictum comitatum Bristol' in parte orientali, et prædictum comitatum Gloucest' in parte boreali: et sic a prædictâ insulâ de *Stipholme* directè versus boream in eadem aquâ Sabrinæ usque ad australem cornerum cujusdam alterius insulæ in eadem aquâ vocatæ *Flat-holme*: et ab inde directè versus orientem in eadem aquâ usque ad australem cornerum cujusdam parvæ insulæ vocatæ *le Dunnye*: et ab inde similiter directè versus orientem in eadem aquâ ad *Avonrode*, quod est in boreali parte prædictæ aquæ Avonæ: et a binde per marginem ejusdem aquæ Avonæ ex boreali parte ejusdem aquæ versus orientem usque

(18) *Quæ quidem insula est divisa, &c.*] If these words be translated as they have been hitherto, *which island is divided between the county of Somerset on the south part, &c.* it will follow that the Steepholme is partly in Somersetshire, partly in Bristol, and partly in Gloucestershire, the point of division being somewhere within the island; a thing very unlikely to happen to a small barren rock, as this is, and moreover contrary to evidence. For the Steepholme is part of the manor of Norton-Beauchamp, in the parish of Kewstocke, and is consequently wholly in Somersetshire. I have therefore taken the word *divisa* to be a noun, as it is used several times in this present charter; and I consider the meaning to be merely, that the island, considered generally (but, particularly, the northern point of it) is the division between the three counties.

(19) *County of Glouc'*] It is strange that the county of Glouc' should extend to this place. The Flatholme is now considered as part of Glamorgan; and if Glamorgan, as being subject to the earls of Gloucester, was then considered as part of Gloucestershire, we may thence perhaps see the reason why Gloucestershire is represented in this passage, as lying to the north of the Steepholme.

(20) This little island, now called *the Denny*, is wholly in Monmouthshire.

(21) *Avonroad*] Other copies read *Aveneord*: the old translation has *Avon-road*. It is somewhere at the mouth of the river on the Gloucestershire side, though it might not be easy to fix the exact spot.

side of the same water eastward as far as a certain great stone fixed on the same water of Avon near a certain rivulet called *Woodwill's Lake* on the eastern side of the same rivulet: and from thence going up strait northward along the course of the same rivulet from a great stone to a great stone fixed near the same rivulet as far as a great stone fixed near the conduit of the abbot of St. Austin's of Bristol on the western part of the same conduit: and from thence going up northward along a certain lane called *Woodwill's Lane* on the western side of the same lane, from a great stone to a great stone fixed for a boundary in the same lane, as far as a certain stone fixed near a certain wall called *Langcroft Wall* in the same lane, as far as another stone fixed near the corner of a certain field called *Bartholomew's Close*: and from thence along the ditch of the same field northward on the western side of the same ditch as far as a stone fixed in the corner of a certain close called *Fokeing Grove*: and from thence strait eastward along a certain long ditch from stone to stone as far as a stone fixed in the north corner of a certain close called *Cantoke's Close*: and from thence along the ditch of the same close strait eastward on the northern side of the same ditch as far as a stone fixed at the eastern corner of a certain croft belonging to the houses

ad quendam magnum lapidem fixum super eandem aquam Avonæ juxta quendam rivulum vocatum *Woodwill's Lake* in orientali parte ejusdem rivuli: et abinde ascendendo directè versus boream per cursum ejusdem rivuli à magno lapide ad magnum lapidem fixum juxta eandem rivulam usque ad magnum lapidem fixum juxta conductum abbatis Sti Augustini Bristoll' ex parte occidentali ejusdem conductûs: et abinde ascendendo versus boream per quandam venellam vocatam *Woodwill's lane* in occidentali parte ejusdem venellæ de magno lapide ad magnum lapidem fixum pro boundâ in eâdem venellâ asque ad quendam lapidem fixum juxta quendam murum vocatum *Langcroft Wall* in eâdem venellâ usque ad alium lapidem fixum juxta cornerum cujusdam campi vocati *Bartholomew's Close*: et abinde per fossatum ejusdem campi versus boream ex occidentali parte ejusdem fossati usque ad lapidem fixum in cornero cujusdam clausi vocati *Fokeing Grove*: et ab inde directè versus orientem per quendam longum fossatum de lapide ad lapidem usque ad lapidem fixum in boreali cornero cujusdam clausi vocati *Cantoke's Close*: et abinde per fossatum ejusdem clausi directè versus orientem in boreali parte ejusdem fossati usque ad lapidem fixum

of the religious of Magdalen and Bartholomew of Bristol: and from thence strait southward along a ditch of the same croft as far as another stone fixed in another corner of the same croft: and from thence strait along another hedge eastward on the north side of the same hedge as far as the king's highroad which leads from Bristol to Henbury: and so along the same highroad strait northward on the western side of the same highroad strait as far as a certain cross called *Bewell's Cross*: and from thence still northward as far as a stone fixed near *Bewell's Well* on the eastern side of the same well: and from that stone strait eastward across the king's same highroad as far as another stone fixed on the eastern side of the king's same highroad near the same highway: and from thence returning strait towards the south on the eastern side of the king's same highroad as far as another stone fixed near the said cross on the eastern side of the said cross: and from thence strait southward on the eastern side of the king's same highroad as far as a great stone fixed in the king's same highroad at the head of the ditch of a certain croft called *Brompton's Close*: and from the same stone along the same ditch, eastward on the northern side of the same ditch as far as another stone fixed in the eastern head of the same ditch: and from thence southward

ad orientalem cornerum cujusdam croftæ domorum religiosorum Magdalen'et Bartholomæi Bristoll': et abinde directè versus austr' per fossatum ejusdem croftæ usque ad alium lapidem fixum in alio cornero ejusdem croftæ: et abinde directè per aliam sepem versus orientem ex parte boreali ejusdem sepis, usque ad viam regiam quæ ducit de Bristoll' versus Henbury: et sic per eandem viam directè versus boream in occidentali parte ejusdem viæ directè usque ad quandam crucem vocatam *Bewell's Cross*: et ab inde adhuc versus Boream usque ad lapidem fixum prope *Fontem de Bewell* ex orientali parte ejusdem fontis: et ab illo lapide directè versus orientem ex transverso ejusdem viæ regiæ usque ad alium lapidem fixum in orientali parte ejusdem viæ regiæ juxta eandem viam: et ab inde revertendo directè versus austral' ex orientali parte ejusdem viæ regiæ usque ad alium lapidem fixum prope prædictam crucem in orientali parte ejusdem crucis: et abinde directè versus austral' ex parte orientali ejusdem viæ regiæ usque ad magnum lapidem fixum in eodem viâ regiâ ad caput fossati cujusdam croftæ vocatæ *Brompton's Close*: et ab eodem lapide per eundem fossatum versus orientem ex parte boreali ejusdem fossati usque ad alium lapidem fixum in orientali capite ejusdem fossati: et abinde versus austral' per alium



along another ditch on the eastern side of the same ditch as far as another stone fixed in the corner of the same ditch: and from thence strait westward along a certain other ditch as far as another stone fixed at the head of a certain lane called the *Mill-Lane*: and from thence going down southward along another ditch as far as a stone fixed in a corner of the same ditch near a certain close called *Prior's Croft*: and from thence along another ditch eastward as far as another stone fixed at the end of the same ditch in a certain highroad called *Maudlin-Lane*: and and so across that highroad along another ditch eastward on the north side of the same ditch as far as a stone fixed in the corner of the same ditch: and from thence strait southward along another ditch as far as a stone fixed in the corner of the same ditch: and from the same stone strait westward along another ditch on the southern side of the same ditch as far as another stone fixed in a corner near the ditch of a certain close, called *Prior's close*: and from thence going down along the same ditch southward as far as a stone fixed in a corner of the same ditch close adjoining to *Prior's Orchard*: and from thence along a long ditch of a close belonging to the prior of St. James eastward from a large stone fixed in the east corner of a certain little

fossatum ex parte orientali ejusdem fossati usque ad alium lapidem fixum in cornero ejusdem fossati: et abinde directè versus occidentem per quoddam aliud fossatum usque ad alium lapidem fixum ad caput cujusdam venellæ vocatæ *le Mill Lane*: et abinde descendendo versus austral' per aliud fossatum usque ad lapidem fixum in angulo ejusdem fossati juxta quendam clausum vocatum *Prior's Croft*: et abinde per aliud fossatum versus orientem usque ad alium lapidem fixum ad finem ejusdem fossati in quâdam viâ vocatâ *Maudline-lane*: et sic ex transverso viæ illius pe<sup>r</sup> aliud fossatum versus oriental' in boreali parte ejusdem fossati usque ad lapidem fixum in cornero ejusdem fossati: et abinde directè versus austral' per aliud fossatum usque ad lapidem fixum in cornero ejusdem fossati: et ab eodem lapide directè versus occidentem per aliud fossatum ex australi parte ejusdem fossati usque ad alium lapidem fixum in cornerio juxta fossatum ejusdem [*lege* cujusdam] clausi vocati *Prior's Close*: et abinde descendendo per eundem fossatum versus austral' usque ad lapidem fixum in cornerio ejusdem fossati contiguè juxta *Prior's Orchard*: et abinde per longum fossatum clausi prioris Sancti Jacobi versus orientem de magno lapide ad magnum lapidem usque ad lapidem fixum in orientali cornerio cujusdam parvi clausi vocati

close called <sup>22</sup> *Doucer-Croft*: and so from the same stone going down southward along the ditch of the same close as far as a stone fixed in the king's highroad which leads from Bristol to Thornbury at the south corner of the same ditch: and from thence along the same road northward on the western side of the same highroad as far as a stone fixed in the same road opposite to a certain path called *Apsherd*: and from the same stone across the same road eastward as far as another stone fixed upon a certain little hillock near the *Apsherd*: and so from thence eastward along a certain ditch on the northern side of the same ditch, as far as a stone fixed in the corner of the same ditch: and so going down along the middle of a certain ditch southward as far as a stone fixed at the southern end of the same ditch: and from thence strait eastward through the middle of the ditch of a certain close called *Mere-Furlong* as far as a great stone fixed at the corner of the same ditch: and from thence going down southward through the middle of another ditch of the same close, as far as a certain stone fixed in an angle near the ditch of a certain close called *Beane-flower-Croft*: and from thence strait eastward along the ditch of the same close as far as a stone fixed in another corner of the same close: and from thence

*Doucer Croft*: et sic de eodem lapide descendendo versus austr' per fossatum ejusdem clausi usque ad lapidem fixum in viâ regiâ, quæ ducit de Bristollia versus Thornebury ad cornerium australe ejusdem fossati: et abinde per eandem viam versus boream in occidentali parte ejusdem viæ usque ad lapidem fixum in eadem viâ ex opposito cujusdam semitæ vocatæ *Apsherd*: et ab eodem lapide ex transverso ejusdem viæ versus orientem usque ad alium lapidem fixum super quendam parvum cuniculum prope le *Apsherd*: et sic abinde versus orientem per quoddam fossatum ex parte boreali ejusdem fossati usque ad lapidem fixum in cornerio ejusdem fossati: et sic descendendo per medium cujusdam fossati versus austri' usque ad lapidem fixum ad australem finem ejusdem fossati: et abinde directè versus orientem per medium fossati cujusdam clausi vocati *Mere-Furlong* usque ad magnum lapidem fixum ad cornerium ejusdem fossati: et deinde descendendo versus austral' per medium alterius fossati ejusdem clausi usque ad quendam lapidem fixum in angulo juxta fossatum cujusdam clausi vocati *Beane-Flower Croft*: et deinde directè

(22) *Doucer-Croft*.] *Dove-croft* in the old translation. *Douce's croft* in the old perambulations quoted above.

(23) *Longesden's Land*.] The old translation has *Langsdown's land*; the old perambulation has *Long-lands*; others read *Langlong's land*.

southward along another ditch of the same close on the eastern part of the same ditch, as far as a stone fixed in the eastern corner of the same close: and from thence along another ditch eastward as far as a certain stone fixed in the angle of a certain croft called <sup>23</sup> *Longesden's Land*: and from thence northward along the middle of another ditch of the same croft, as far as the north corner of the same ditch: and so from great stone to great stone, as they are placed for bounds, along a certain long ditch eastward as far as a great stone fixed in the corner of a certain croft called <sup>24</sup> *Cock's Croft*: and from thence strait northward along another ditch as far as a great stone fixed in a corner of the same croft: and so along another ditch of the same croft eastward as far as another stone fixed in another corner of the same croft: and from thence strait southward along another ditch of the same croft as far as another stone fixed in another corner of the same croft near a certain close called the *Piked-Croft*: and thence strait eastward along the ditch of the same close of *Piked-croft* as far as a stone in a corner of the same croft, near the road which leads from Bristol to Stoke: and from the same stone along another ditch of the same close

versus orientem per fossatum ejusdem clausi usque ad lapidem fixum in alio cornerio ejusdem clausi: et abinde versus austr' per alium fossatum ejusdem clausi in orientali parte ejusdem fossati usque ad lapidem fixum in orientali cornerio ejusdem clausi: et abinde per alium fossatum versus orientem usque ad quendam lapidem fixum in angulo cujusdam croftæ vocatæ *Longesden's Land*: et abinde versus boream per medium alterius fossati ejusdem croftæ usque ad borealem cornerium ejusdem fossati: et sic de magno lapide ad magnum lapidem prout ponuntur pro boundis per quoddam longum fossatum versus orientem usque ad magnum lapidem fixum in cornerio cujusdam croftæ vocatæ *Cock's Croft*: et abinde directè versus boream per alium fossatum usque ad magnum lapidem fixum in cornerio ejusdem croftæ: et sic per alium fossatum ejusdem croftæ versus orientem usque ad alium lapidem fixum in alio cornerio ejusdem croftæ: et abinde directè versus austr' per alium fossatum ejusdem croftæ usque ad alium lapidem fixum in alio cornerio ejusdem croftæ juxta quoddam clausum vocatum *le Piked-Croft*: et deinde directe versus orientem per fossatum ejusdem clausi de *Piked-Croft* usque ad lapidem fixum in cornerio ejusdem croftæ, prope viam quæ ducit de Bristollia versus Stoke: et ab eodem lapide per alium fossatum

(24) *Cock's croft*] Others read *Cook's croft*; and others *Coke's croft*.

southward as far as a stone fixed in another corner of the same close: and from the same stone strait westward along another ditch of the same close on the southern side of the same ditch as far as another great stone fixed on the opposite side of the road aforesaid which leads to Stoke in a corner of a certain little close called *Wrington's Croft*: and from the same stone along a ditch of the same close strait southward as far as a stone fixed in another corner of the same close in the road which leads from Bristol to <sup>25</sup>*Lekenbridge*: and from the same stone along the ditch of the same close strait westward as far as a stone fixed in the northern side of the road which leads from Bristol to the conduit of the same town called *Key-pipe-conduit*: and from thence strait westward along a certain long ditch from stone to stone on the southern side of the same ditch as far as a stone fixed near a certain spring called *Begger-well*, on the northern side of the same spring: and from the same stone strait southward on the eastern side of the ditch of a certain garden called *Ditche's Orchard*, as far as a certain stone fixed on the water of the *Froom* on the northern side of the same water: and so on a line along the same water on the northern side of the same water westward as far as a stone fixed on the same water

ejusdem clausi versus austr' usque ad lapidem fixum in alio cornerio ejusdem clausi: et ab eodem lapide directè versus occidentem per alium fossatum ejusdem clausi ex australi parte ejusdem fossati usque ad alium magnum lapidem fixum ex transverso prædictæ viæ, quæ ducit versus *Stoke* in cornerio cujusdam parvi clausi vocati *Wrington's Croft*: et de eodem lapide per fossatum ejusdem clausi directe versus Austr' usque ad lapidem fixum in alio cornerio ejusdem clausi in viâ quæ ducit de Bristoll' versus *Lekenbrigge*: et ab eodem lapide per fossatum ejusdem clausi directe versus occidentem usque ad lapidem fixum in boreali parte viæ quæ ducit de Bristollia versus conductum ejusdem villæ vocatum *Key-pipe-Conduit*: et ab inde directè versus occidentem per quoddam longum fossatum de lapide ad lapidem ex australi parte ejusdem fossati usque ad lapidem fixum juxta quendam fontem vocatum *Begger-well* ex boreali parte ejusdem fontis: et de eodem lapide directe versus Austrum ex orientali parte fossati cujusdam gardini vocati *Ditche's Orchard* usque ad quendam lapidem fixum super aquam de Froome in parte boreali ejusdem aquæ: et sic linealiter per eandem aquam ex boreali parte ejusdem aquæ versus occidentem usque ad

opposite to the great ditch of the town of Bristol: and from thence strait eastward across the same water of Frome as far as a stone fixed on the south side of the same water in the aforesaid great ditch of the same town: and from that stone strait along the same ditch as far as a great stone fixed outside the gate of the same town called *Lawford's Gate* near the same gate: and from that stone strait eastward from stone to stone in the same great ditch as far as a stone fixed in the eastern corner of the same ditch: and from that stone strait westward from stone to stone along the same ditch as far as another stone fixed at the western end of the same ditch: and from that stone across northward as far as a stone fixed in a corner under the same ditch: and from thence going down westward on the southern side of St. Philip's church-yard as far as a stone fixed in the corner of the ditch of *King's Orchard*: and so along the same ditch northward on the western side of a certain lane called *St. Philip's Lane* as far as a stone fixed on the ditch of the castle of Bristol near the gate of the same castle called *Nether-gate*: and from the same stone always along the ditch of the same castle on the northern side of the same ditch as far as the gate of the same town called *Newgate*: and from the same gate westward on the western side of the ditch called the

lapidem fixum super eandem aquam ex opposito magni fossati villæ Bristoll': et abinde directè versus orientem ex transverso ejusdem aquæ de Frome usque ad lapidem fixum in australi parte ejusdem aquæ in prædicto magno fossato ejusdem villæ: et ab illo lapide directè per eundem fossatum usque ad magnum lapidem fixum extra portam ejusdem villæ vocatam *Lawford's gate* prope eandem portam: et ab illo lapide directè versus orientem de lapide ad lapidem in eodem magno fossato usque ad lapidem fixum in orientali cornerio ejusdem magni fossati: et de illo lapide directè versus occidentem de lapide ad lapidem per eundem fossatum usque ad alium lapidem fixum ad occidentalem finem ejusdem fossati: et de illo lapide ex transverso versus boream usque ad lapidem fixum in angulo subtus eundem fossatum: et abinde descendendo versus occidentem ex australi parte coemeterii ecclesiæ Sti Philippi usque ad lapidem fixum in cornerio fossati de *King's Orchard*: et sic per eundem fossatum versus boream ex parte occidentali cujusdam venellæ vocatæ *St. Phillip's lane* usque ad lapidem fixum super fossatum castri Bristoll' juxta portam ejusdem castri vocatam *Neyther gate*: et ab eodem lapide semper per fossatum ejusdem castri ex parte boreali ejusdem fossati usque ad portam ejusdem villæ vocatam *Newgate*: et ab eadem

*Moat-ditch* of the same castle as far as a stone fixed in the corner of the same ditch: and from the same stone strait southward on the western part of the same ditch of the castle aforesaid as far as the <sup>26</sup>thread of the said water of the Avon: and so along the thread of the said water of the Avon strait eastward as far as the aforesaid end of the common wall of the same town of Bristol, which extends from the same thread of water in that place westward as far as the aforesaid tower called *Tower-Harratz*, at which end of the wall aforesaid the foregoing perambulation was begun. **Which** bounds according to the signs, metes and divisions the said justices place, set and adjudge to endure for ever between the aforesaid counties, and as before mentioned: and it is commanded to each of the aforesaid sheriffs that they cause public proclamation to be made in all places of their bailiwick, where they shall see it to be most expedient, that all and singular persons of their said bailiwick shall inviolably keep and observe for ever the aforesaid metes and divisions set, appointed and adjudged by the aforesaid justices in their said perambulation. **In Witness** of all which things as well the said justices as Robert Chedre and Walter Frampton of the said county of Bristol, Ralph Wales and John Crooke of the said

portâ versus occidentem parte occidentali fossati vocati *le Mot ditch* ejusdem castrî usque ad lapidem fixum in cornerio ejusdem fossati: et de eodem lapide directè versus austrum in occidentali parte ejusdem fossati castrî prædicti usque ad filum prædictæ aquæ Avonæ: et sic per filum ejusdem aquæ Avonæ directè versus orientem usque ad prædictum finem communis muri ejusdem villæ Bristoll', qui se extendit ab eodem filo aquæ ibidem versus occidentem usque ad prædictam turrim vocatam *Tower-Harratz*, ad quem finem muri prædicti perambulation prædicta incepta fuit. **Quas** quidem boundas pro signis, metis et divisis inter comitatus prædictos (ut prædictum est) præfati justiciarii ponunt, statuunt et adjudicant in perpetuum duraturas: et præceptum est cuilibet prædictorum vicecomitum, quòd publicè proclamari faciant in omnibus locis ballivæ suæ, ubi viderint meliùs expediri, quòd omnes et singuli dictæ ballivæ suæ metas et divisas prædictas per præfatos justiciarios in dictâ perambulatione suâ positas, statutas et adjudicatas inviolabiliter teneant et observent in perpetuum. **In quorum** omnium testimonium tam præfati justiciarii quàm Robertus Chedre et Walterus Frampton de prædicto comitatu Bristoll',

(26) *The thread.*] i' e' the mid-stream, or middle of the current.

**Perambul' metarum Sept' 30, 47 Edw' 3, i' e' 1373. 83**

county of Gloucester, and John Beckett and Walter Lawrence of the county of Somerset, [being some] of the aforesaid jurors present at making that perambulation, have hereto set their seals.

Radulphus Wales et Johannes Crooke de prædicto comitatu Glouc', et Johannes Beckett et Walterus Lawrence de comitatu Somersett' de prædictis juratis ad perambulationem illam faciendam præsentibus sigilla sua apposuerunt.

## XV.

### EXEMPLIFICATION OF THE AFORESAID PERAMBULATION, OCT' 30, 47 EDW' III. i' e' 1373.

**Edward** by the grace of God king of England and France and lord of Ireland to all whom these present letters shall come sends health. **We have** inspected a certain perambulation on the metes and divisions between the counties of Glouc' and Somers' and the county of Bristol, made by our order and returned into our chancery, in these words. Our lord the king directed, &c. [*Here follows the return of the Perambulation, No. 14.*] **And we** at the request of our beloved the mayor and burgesses of the said town of Bristol have thought fit to have the tenor of the said perambulation exemplified by virtue of these presents. In witness whereof we have caused these our letters to be made patent. **Witness** myself at Westminster on the 30th day of October in the 47th year of our reign over England, but of our reign over France the 34th.

### *XV. Literæ Patentis exemplificantes Perambulationem prædictam. Oct' 30, 47 Edw' 3, i' e' 1373.*

**Edwardus** Dei gratiâ rex Angliæ et Franciæ et dominus Hiberniæ omnibus ad quos præsentis literæ pervenerint salutem. **Insuperimus** quandam perambulationem super metis et divisis inter comitatus Glouc' et Somersett' et comitatum Bristoll', de mandato nostro factam et in cancellariam nostram retornatam, in hæc verba: Dominus rex mandavit venerabilibus, etc. **Nos autem** tenorem perambulationis prædictæ ad requisitionem dilectorum nobis majoris et burgensium dictæ villæ Bristoll' tenore præsentium duximus exemplificandam. In cujus rei testimonium has literas nostras fieri fecimus patentes. **Ceste** meipso apud Westmonast' tricesimo die Octobris, anno regni nostri Angliæ quadragesimo septimo, regni vero nostri Franciæ tricesimo quarto.

(1) *Letters.*] In compliance with the usual practice the plural *letters* is used here and elsewhere, although the Latin

*literæ* signify a letter or epistle in the singular. So also in the expression *these presents*, instead of *this present letter*.



## XVI.

### CHARTER OF CONFIRMATION BY ASSENT OF PARLIAMENT, DEC' 20, 47 EDW' III. i' e' 1373.

**Edward** by the grace of God king of England and France and lord of Ireland to all to whom these present letters shall come sends health. **We have** inspected our charter, by which we granted and confirmed for us and our heirs to our beloved the burgesses of our town of Bristol and to their heirs and successors for ever, that the said town of Bristol with it's suburbs and the precincts of the same according to the borders and bounds, as they are limited, should be alike separated and in all respects exempted from the counties of Gloucester and Somerset as well by land as by water, and that it should be a county of itself and called the county of Bristol for ever, and other liberties and acquittances contained in the same charter under date of the 8th day of August last past, made in these words: Edward by the grace of God king of England, &c. [*Here follows the Char-*

### XVI. *Carta confirmationis, Dec' 20, 47 Edw' 3, i' e' 1373.*

**Edwardus** Dei gratiâ rex Angliæ et Franciæ et dominus Hiberniæ, omnibus ad quos præsentis literæ pervenerint, salutem. **Insuperimus** chartam nostram per quam concessimus et confirmavimus pro nobis et hæredibus nostris dilectis nobis burgensibus villæ nostræ Bristoll' et eorum hæredibus et successoribus in perpetuum, quòd dicta villa Bristoll' cum suburbiis suis et præcinctibus eorundem juxta fines et boundas, prout limitatæ existunt, de comitatibus Glouc' et Somersett' separata sit pariter et in omnibus exempta tam per terram quam per aquam, et quòd sit comitatus per se et comitatus Bristoll' nuncupatus in perpetuum, ac ceteras libertates et quietantias in eadem cartâ contentas sub datâ octavi diei Augusti proximè præteriti, factam in

*ter of Aug' 8, 47 Edw' 3, No. 12.] We have also inspected certain our letters patent, by which we caused a certain perambulation upon the metes and divisions of the said counties of Glouc' and Somers' and of the said county of Bristol, made by our order along the borders and bounds aforesaid and returned into our chancery, to be exemplified in these words: Edward by the grace of God king of England, &c. [Here follows the Exemplification, No. 15.] We, by the assent and agreement of the prelates, nobles, great men and commonalty being in our <sup>1</sup>parliament, called together at Westminster on the morrow of St. Edmund king and martyr last past, do for us and our heirs by virtue of these presents ratify, approve and confirm for ever to the said burgesses of Bristol and to their heirs and successors as well our said charter and all and singular the grants, liberties and acquittances and all other things contained and specified in the same charter, as the said perambulation exemplified by our letters patent aforesaid concerning the metes and divisions so made between the aforesaid counties of Glouc' and Somerset and the said county of Bristol on the borders and bounds, and*

*hæc verba: Edwardus Dei gratiâ rex Angliæ, &c. Insperimus etiam quasdam literas nostras patentes, per quas quandam perambulationem super metis et divisis prædictorum comitatum Glouc' et Somersett' et dicti comitatus Bristollia, mandato nostro per fines et boundas supradictas factam et in cancellariam nostram retornatam, exemplificari fecimus in hæc verba: Edwardus Dei gratiâ rex, &c. Nos de assensu et concordia prelatorum, nobilium, magnatum, et communitatis in parlamento nostro apud Westmonaster' in crastino Sancti Edmundi regis et martyris proximo præterito convocato existentium, tam dictam cartam nostram et omnes et singulas concessionones, libertates, et quietantias ac alia quæcunque in eadem cartâ contenta et specificata, quam perambulationem prædictam per prædictas literas nostras patentes exemplificatam super metis et divisis sic factis inter prædictos comitatus Glouc' et Somersett' et prædictum*

(1) *Parliament at Westm'*] Vide Cotton's Records, 119. Rolls of Parl 47 Edw' 3. Cotton's Abridg' p' 116. Walsingham, p' 189.—The Letters Patent (No. 15) here quoted are dated October 30, 1373; this present charter is dated December 20, 1373: between these two dates the Parliament

must have met. Edmund king of the E'Angles having been slain by the Danes in 870, because he would not renounce the Christian religion, was ever afterwards reputed a martyr, and November 20 stands in the calendar as his day. This parliament therefore met on November 21.

## Carta Confirmationis, Dec' 20, 47 Edw' 3, i' e' 1373, 87

those letters, and all and singular the things contained in those letters, as our charter and letters aforesaid more fully testify. In witness whereof we have caused these our letters to be made patent. **Witness** myself at Westminster on the 20th day of December in the 47th year of our reign over England, and of our reign over France the 34th.

comitatum Bristoll' <sup>2</sup>supra fines et boundas, <sup>2</sup>supra literasque illas, et omnia et singula in eisdem literis contenta præfatis burgensibus Bristollia et eorum hæredibus et successoribus pro nobis et hæredibus nostris in perpetuum in tenore præsentium ratificamus, approbamus et confirmamus, prout carta et literæ nostræ prædictæ pleniùs testantur. In cujus rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Westmonast' vicesimo die Decembris, anno regni nostri Angliæ quadragesimo septimo, regni verò nostri Francæ tricesmo quarto.

(2) (2) *Suprà—Suprà.*] The general meaning of the passage is given in the translation; but there is some error in the Latin, which can be rectified only by an inspection of the original.

## XVII.

### CHARTER OF CONFIRMATION, FEB' 8, 1 RICH' II.

i' e' 137 $\frac{7}{8}$ .

**Richard** by the grace of God king of England and France and lord of Ireland to all to whom these present letters shall come sends health. **We have** inspected the letters patent of confirmation, which the lord Edward late king of England, our grandfather, lately caused to be made in these words: Edward by the grace of God, &c. [*Here follows the Charter 20 Dec' 47 Edw' 3, No. 16.*] **We have** also inspected certain other letters patent of our aforesaid grandfather lately made in these words: Edward by the grace of God, &c. [*Here follows the Charter 21 Edw' 3, No. 11.*] **But we** ratifying and approving of all and singular the grants and confirmations, perambulations, liberties and acquittances and other things whatever contained and specified in the charter and letters aforesaid do for us and our heirs, as much as lies in our power, by virtue of these presents grant

### XVII. *Carta Confirmationis, 1 Ric' 2, i' e' 137 $\frac{7}{8}$ .*

**Richardus** Dei gratiâ rex Angliæ et Franciæ et dominus Hiberniæ omnibus ad quos præsentis literæ pervenerint salutem. **Insuperimus** literas patentes de confirmatione, quas dominus Edwardus nuper rex Angliæ, avus noster, nuper fieri fecit in hæc verba: Edwardus Dei gratiâ, &c. **Insuperimus** etiam quasdam alias literas patentes præfati avi nostri nuper factas in hæc verba: Edwardus Dei gratiâ, &c. **Nos** autem omnes et singulas concessionem et confirmationes, perambulationes, libertates et quietantias et aliâ quæ cunque in cartâ ac literis supradictis contenta et specificata, rata habentes et grata, ea pro nobis et hæredibus nostris præfatis burgensibus

and confirm them to the said burgesses of Bristol and their heirs and successors for ever; as the charters, letters and confirmations above mentioned reasonably testify. In witness whereof we have caused these our letters to be made patent. **Witness** myself at Westminster 'on the 8th day of February, in the first year of our reign.

Bristolliæ et eorum hæredibus et successoribus, quantum in nobis est, in perpetuum tenore præsentium concedimus et confirmamus; prout cartæ, literæ, et confirmationes supradictæ rationabiliter testantur. In cujus rei testimonium has literas nostras fieri fecimus patentas. **Teste** meipso apud Westmonast' octavo die Feb', anno regni nostri primo.

(1) *Date.*] The king was at this time 11 years of age; but the government was in the hands of his uncles.

## XVIII.

### SECOND CHARTER OF CONFIRMATION,

FEB' 28, 1 RICH' II. i' e' 137 $\frac{1}{2}$ .

**Richard** by the grace of God king of England and France and lord of Ireland, to all to whom the present letters shall come, sends health. **We have** inspected the charter of the lord Edward late king of England, our grandfather, in these words : [*Here follows the Charter, 5 Edw' 3, No. 10.*] **But** we ratifying and approving of the grants, gifts and confirmations aforesaid do by virtue of these presents for ourselves and our heirs, as far as lies in our power, grant and confirm them to our burgesses of Bristol aforesaid and to their heirs and successors, burgesses of the said town, as the said charter of our grandfather aforesaid reasonably testifies, and as the said burgesses and their ancestors or predecessors have been accustomed reasonably to use and enjoy the liberties, acquittances and other

### XVIII. *Carta altera Confirmationis, Feb' 28, 1 Ricardi 2,* *i' e' 137 $\frac{1}{2}$ .*

**Ricardus** Dei gratiâ rex Angliæ et Franciæ et dominus Hiberniæ omnibus, ad quos præsentis literæ pervenerint, salutem. **Insuperimus** cartam domini Edwardi nuper regis Angliæ, avi nostri, in hæc verba, Edwardus Dei gratiâ rex, &c. **Pos** autem concessionem, donationem, et confirmationem prædictas ratas habentes et gratas, eas pro nobis et hæredibus nostris, quantum in nobis est, præfatis burgensibus nostris Bristollæ et eorum hæredibus et successoribus burgensibus villæ prædictæ tenore præsentium concedimus et confirmamus ; prout dicta carta præfati avi nostri rationabiliter testatur, et prout iidem burgenses et eorum antecessores sive prædecessores liber-

## Carta altera Confirm', Feb' 28, 1 Ricardi 2, i' e' 137 $\frac{1}{2}$ . 91

things premised. In witness whereof we have caused these our letters to be made patent. **Witness** myself at Westminster on the 28th day of February in the first year of our <sup>1</sup>reign.

tatibus et quietantiis ac aliis præmissis rationabiliter uti et gaudere consueverunt. In cujus rei testimonium has literas nostras fieri fecimus patentes. **Teste** meipso apud Westmon' vicesimo octavo die Februar' anno regni nosrtri primo.

(1) This charter being granted only twenty days after the preceding, it seems probable that the burgesses, after receiving the first, discovered that it contained no confirmation of 5 Edw' 3, and therefore obtained this present charter for the sole purpose of supplying that deficiency.

## XIX.

### CHARTER OF 1 APRIL 19 RICH' II. i' e' 1396.

**Richard** by the grace of God king of England and France and lord of Ireland to his archbishops, bishops, abbots, priors, dukes, earls, barons, justices, sheriffs, officers and all his bailiffs and faithful men, sends health. **We have** inspected our letters patent of confirmation which we lately caused to be made to the burgesses of our town of Bristol in these words: Richard by the grace of God king of England, &c. [*Here follows the Charter Feb' 8, 1 Ric' 2, No. 17.*] **We have** moreover inspected certain other our letters patent of confirmation, which we lately caused to be made to the burgesses aforesaid in these words: Richard by the grace of God king, &c. [*Here follows the Charter, 28 Feb' 1 Rich' 2, No. 18.*] **But we**, ratifying and approving of the gifts, grants, confirmations, precepts, perambulations, liberties, privileges, franchises, acquittances, immunities, articles and customs aforesaid, and all other things contained, explained and

### XIX. *Carta 1 Apr' 19 Ric' 2, i' e' 1396.*

**Ricardus** Dei gratiâ rex Angliæ et Franciæ et dominus Hiberniæ, archiepiscopis, episcopis, abbatibus, prioribus, ducibus, comitibus, baronibus, justiciariis, vicecomitibus, præpositis, ministris, et omnibus ballivis et fidelibus suis, salutem. **Insuperimus** literas nostras patentes de confirmatione, quas burgensibus villæ nostræ Bristollie nuper fieri fecimus in hæc verba: Ricardus Dei gratiæ rex, &c. **Insuperimus** insuper quasdam alias literas nostras patentes de confirmatione, quas præfatis burgensibus nuper fieri fecimus in hæc verba: Ricardus Dei gratiâ, &c. **Nos autem** donationes, concessiones, confirmationes, præcepta, perambulationes, libertates, privilegia, franchises, quietantias, immunitates, articulos, et consuetudines prædictas,



specified in the said charter and letters, do for us and our heirs, as far as lies in our power, of our special favour by virtue of these presents grant and confirm them to the said burgesses and their heirs and successors, burgesses of that town, for ever; as the charter and letters aforesaid reasonably testify. **Moreover** being willing more amply to gratify the burgesses aforesaid in this respect, we have granted and for us and our heirs by this present charter have confirmed to the same burgesses, that although they or their ancestors or predecessors may not hitherto have used any one or more gifts, grants, confirmations, precepts, liberties, privileges, franchises, acquittances, immunities, articles and customs contained in the said charters and letters in any case arising; nevertheless the same burgesses and their heirs and successors may for the future fully enjoy and use for ever the said gifts, grants, confirmations, precepts, liberties, privileges, franchises, acquittances, immunities, articles and customs and other things whatsoever contained in the said charters and letters and any one of them, as well by land as by water, without let or hindrance of us or our heirs, the justices, eschaetors, sheriffs, coroners, or other bailiffs or officers of us or our heirs whatever. **And moreover** at the instance and prayer of the aforesaid bur-

Non-usage of  
privileges, &c.  
shall be no  
hindrance.

ac omnia alia in dictis cartâ et literis contenta, explanata, et specificata rata habentes et grata, ea pro nobis et hæredibus nostris, quantum in nobis est, præfatis burgensibus et eorum hæredibus et successoribus burgensibus villæ illius in perpetuum de gratiâ nostrâ speciali tenore præsentium concedimus et confirmamus; prout carta et literæ prædictæ rationabiliter testantur. **Praeterea** volentes præfatis burgensibus gratiam in hâc parte facere uberius, concessimus eisdem burgensibus et hâc præsentî cartâ confirmavimus pro nobis et hæredibus nostris, quòd licet ipsi vel eorum antecessores sive prædecessores aliquâ vel aliquibus donationibus, concessionibus, confirmationibus, præceptis, libertatibus, privilegiis, franchisiis, quietantiis, immunitatibus, articulis et consuetudinibus in dictis cartâ et literis contentis aliquo casu emergentibus hactenus usi non fuerint; iidem tamen burgenses et eorum hæredes et successores prædictis donationibus, concessionibus, confirmationibus, præceptis, libertatibus, privilegiis, franchisiis, quietantiis, immunitatibus, articulis et consuetudinibus, ac quibuscunque aliis in dictis cartis et literis contentis, et eorum quolibet de cætero, tam per terram quam per aquam, plenè gaudeant et utantur in perpetuum, sine occasione vel impedimento nostri, vel hæredum nostrorum, justiciariorum, escaetorum, vicecomitum, coronatorum, aut aliorum ballivorum seu ministrorum nostrorum vel hæredum nostrorum quorumcunque. **Et insuper** ad instantiam et supplicationem prædictorum burgen-

Steward, mar-  
shall and clerk  
of the market  
of the king's  
household  
shall not sit in  
Bristol.

gesses out of the same our favour we will and grant and by this our charter confirm for us and our heirs to the said burgesses and to their heirs and successors for ever, that the <sup>1</sup>steward and marshall or <sup>2</sup>clerk of the market of the household of us or our heirs for the future shall not sit within the liberties of the said town; <sup>3</sup>nor exercise their offices in the same place; nor do any thing which belongs to those offices within the same liberties; nor in any manner draw any burgess of the town aforesaid or any other person residing within the liberties of the same into pleas out of the liberties of the said town for any matters arising or to arise within the same town. **Wherefore** we will and strictly command for ourselves and our heirs, that the said burgesses and their heirs and successors for ever may have and hold all and singular the grants and liberties aforesaid, and for the future may fully enjoy and use them and any one of them in manner and form expressed above, without let or hindrance of us or our

sium de eâdem gratiâ nostrâ volumus et concedimus et hâc cartâ nostrâ confirmamus pro nobis et hæredibus nostris præfatis burgensibus et eorum hæredibus et successoribus in perpetuum, quòd seneschallus et mareschallus aut clericus mercati hospitiî nostri vel hæredum nostrorum de cætero infra libertates villæ prædictæ non sedeant; nec officia sua ibidem exercent; nec quicquam quod ad officia illa pertinet infra easdem libertates faciant; nec aliquem burgensem villæ prædictæ, aut aliquam aliam personam infra libertates ejusdem residentem in placita extra libertates villæ prædictæ pro aliquibus infra eandem villam emergentibus vel emergendis trahant quoquo modo. **Quare** volumus et firmiter præcipimus pro nobis et hæredibus nostris, quòd præfati burgenses et eorum hæredes et successores in perpetuum habeant et teneant omnes et singulas concessionones et libertates prædictas, ac eis et earum quâlibet modo et formâ superiùs expresso de cætero plenè gaudeant et utantur, sine occasione vel impedimento nostri uel hæredum

(1) *Steward and Marshall.*] The power of these officers was formerly very considerable: they had a right to hear and determine all treasons, murders, felonies, &c. within the verge, and in places of the king's immediate residence.

(2) *Clerk of the Market*] 'is an officer of the king's house, anno 1 Edw' 4, ca' 1, and anno 13 Ric' 2, ca' 4, whose duty it is to take charge of the king's measures, &c. Fleta, lib' 2, cap' 8, 9, 10, 11, 12: of which office, as also of our diversitie of weights and measures, you may there finde a treatise worth the reading, &c.' Cowell.

(3) *Nor exercise their offices.*] By charter 8 Aug' 47 Edw' 3,

p' 50, all causes were to be determined by the magistrates of the town, except those which used to be determined in the Tolzey-court before the king's steward and other his officers. By the present charter this exception is removed.

King Richard was probably in Bristol in September 1394, on his way to Waterford, where he went to reduce the Irish rebels. Perhaps at that time the townsmen experienced the inconvenience of being subject to the king's officers above mentioned, and procured the present charter, that they might be exempted from their jurisdiction in future. When the king was in Bristol, in May 1399, on his way to Waterford, the value of the present charter was no doubt perceived.

heirs, the justices, eschaetors, sheriffs and other bailiffs or officers of us or our heirs whatsoever. **These** being witnesses; the reverend father <sup>4</sup>W' archbishop of Canterbury, primate of all England; <sup>5</sup>Thomas archbishop of York, primate of England, our chancellor; <sup>6</sup>R' bishop of London; <sup>7</sup>R' bishop of Salisbury; and <sup>8</sup>T' bishop of Worcester; <sup>9</sup>John duke of Aquitain and Lancaster; <sup>10</sup>Edmund duke of York; <sup>11</sup>Thomas duke of Gloucester our dear uncles; <sup>12</sup>Henry earl of Derby; <sup>13</sup>Richard earl of Arundel; <sup>14</sup>Henry earl of Northumberland; <sup>15</sup>Roger de Walten our treasurer; <sup>16</sup>Thomas de Percy, steward of our household; Guy Mace, keeper of our privy-seal; and others. Given by our hand at York on the first day of April in the 19th year of our reign.

nostrorum, justiciariorum, escaetorum, vicecomitum et aliorum ballivorum seu ministrorum nostrorum vel hæredum nostrorum quorumcunque. **His testibus**, venerabilibus patribus W' Cantuarensi, totius Angliæ primato; Thomâ Eboracensi, Angliæ primato, cancellario nostro, archiepiscopis; R' London', R' Sarum', et T' Wigorn' episcopis; Johanne Aquitaniæ et Lancastriæ, Edmundo Eborac', Thomâ Glouc' ducibus, avunculis nostris charissimis; Henrico Northumbr' comitibus; Rogero de Walten, thesaurario nostro; Thomâ de Percy, seneschallo hospitii nostri; Guydone Mace, custode privati sigilli nostri; et aliis. Datum per manum nostram apud Eboracum primo die Aprilis anno regni nostri decimo nono.

(4) *W' Cant'.*] William Courtney. He died July 1 following.

(5) *Thomas York.*] Thomas Arundel, chancellor of England, translated to the see of Canterbury about Christmas in the same year. He soon after fell under the king's displeasure, and was banished; but returning with Henry, D' of Lancaster, was instrumental in placing him on the throne.

(6) *R' London.*] Robert de Braybroke. He had been High Chancellor some years before.

(7) *R. Sarum.*] Richard Metford, Canon of Windsor, had been long imprisoned in the castle of Bristol; but at length the opposite party prevailing, he was not only released, but raised to the bishoprick of Chichester, and in 1395 translated to Salisbury. From Godwin.

(8) *T. Wigorn.*] Tideman de Winchcombe, a Cistercian monk, once the king's physician, then bishop of Landaff, and in 1395 translated to Worcester.

(9) *John, Duke of Aquit'*] The famous John of Gaunt.

(10) *Edmund, D' of York.*] Witness to the charter, 47 Edw' 3.

(11) *Thomas, D' of Gloucester.*] Thomas de Woodstock, seventh son of Edw' 3; created E' of Buckingham, 1 Ric' 2, and D' of Gloucester, 9 Ric' 2.

(12) *Henry, E' of Derby.*] Henry of Bolingbroke, eldest son of John of Gaunt, D' of Lanc', and consequently the king's first cousin. He was afterwards king Henry-4th.

(13) *Richard Arundel.*] Richard Fitz-Alan, one of the admirals of England, a brave and honourable man, and a great favorite with the people. He was unjustly put to death the year after this date.

(14) *Henry Percy, E' of Northumberland.*] The chief promoter of the Revolution in 1399, father of him surnamed Hotspur.

(15) *Roger de Walten.*] He was dean of York, and appointed Lord Treasurer September 20, 1395. In 1397, when Arundel A' B' of Canterbury was banished, king Richard 2 appointed Roger Walden in his place, who performed the a'episcopal office: but on the accession of Henry 4, A' B' Arundel re-assumed his dignity. Roger Walden was afterwards B' of London.

(16) *Thomas de Percy.*] Thomas Percy, brother of the above Henry, was created earl of Worcester 1397, and in the revolution of 1399 deserted his master, broke his white staff of office, and joined the usurper. It is singular that the very officer whose jurisdiction was straitened by this charter should be present when it was granted.

## XX.

### CHARTER OF CONFIRMATION, 14 DEC' 1 EDW' IV. A' D' 1461.

**Edward** by the grace of God king of England and France and lord of Ireland to his archbishops, bishops, abbots, priors, dukes, earls, barons, justices, sheriffs, provosts, officers and all his bailiffs and faithful men sends health. **We have** inspected the charter of the lord Richard the second after the conquest king of England, our cousin, made in these words: **Richard** by the grace of God king of England, &c. [*Here follows the Charter 1 Apr' 19 Ric' 2, No. 19.*] **But we**, holding good and approving of the charter and letters aforesaid and all and singular the things contained in the same, do for us and our heirs, as far as lies in our power, accept and approve of them and ratify and confirm them to our beloved the now burgesses of the said town and their heirs and successors, as the charter and letters aforesaid reasonably testify.

### XX. *Carta Confirmationis, 1 Edw' 4, A' D' 1461.*

**Edwardus** Dei gratiā rex Angliæ et Franciæ et dominus Hiberniæ archiepiscopis, episcopis, abbatibus, prioribus, ducibus, comitibus, baronibus, justiciariis, vicecomitibus, præpositis, ministris et omnibus ballivis et fidelibus suis salutem. **Inspeximus** cartam domini Richardi nuper regis Angliæ, secundi post conquestum, consanguinei nostri factam in hæc verba: Ricardus Dei gratiā rex Angliæ, &c. **Nos autem** cartam et literas prædictas, ac omnia et singula in eisdem contenta, ratas habentes et gratas, eas pro nobis et hæredibus nostris, quantum in nobis est, acceptamus et approbamus, ac dilectis nobis nunc burgensibus villæ prædictæ ac hæredibus et successoribus suis ratificamus et confirmamus, prout carta et literæ prædictæ rationabiliter testantur.

(1) *We have inspected.*] It is observable that Edw' 4 confirms no charter granted by the three Lancastrian kings. The next charter is merely a repetition of one of Henry 4, without any mention of him; and the next following annuls

one of Henry 6, and re-grants it. The very great number of charters granted in the first years of Edw' 4th's reign, shews that this was the case in other places beside Bristol. See the Calend' Rot' Pat' in turri London'.

**Carta Confirmationis, 1 Edw' 4, A' D' 1461. 97**

In witness whereof we have caused these our letters to be made patent. **Witness** myself at Westminster on the <sup>2</sup> 14th day of December in the first year of our reign.

In cujus rei testimonium has literas nostras fieri fecimus patentes. **Teste** meipso apud Westmonast' quarto decimo die Decembris anno regni nostri primo.

(2) *Date.*] A Charter of Confirmation being usually the first which any of the kings granted, and this present being placed in ch' 3 Hen' 7 before the next, although the date be later, it seems probable that the dates of these two have been interchanged.

CHARTER 22 OCT' 1 EDW' IV. A' D' 1461.

**E**dward by the grace of God king of England and France and lord of Ireland to all, to whom the present letters shall come, sends health. **Know ye** that out of our especial favour and from our certain knowledge and mere motion, and in consideration of the notable services bestowed on us in various ways by our beloved and faithful subjects the mayor and commonalty of our town of Bristol, we have granted and for us and our heirs, as far as in us lies, we do grant to the mayor and commonalty of the said town and to their heirs and successors for ever, that the town aforesaid and the suburbs of the same and the county of Bristol and all and singular places within the precincts and liberties of the same shall be for ever <sup>1</sup>exempted and separated, taken away and

**XXI.** *Carta 22 Oct' 1 Edw' 4, A' D' 1461.*

**Edwardus** Dei gratiâ rex Angliæ et Franciæ et dominus Hiberniæ omnibus, ad quos præsentis literæ pervenerint, salutem. **Sciatis** quòd de gratiâ nostrâ speciali ac ex certâ scientiâ et mero motu nostris; ac in consideratione notabilium obsequiorum per dilectos et fideles legeos nostros majorem et communitatem villæ nostræ Bristoll' nobis multipliciter impensorum, concessimus et pro nobis et hæredibus nostris, quantum in nobis est, concedimus majori et communitati villæ prædictæ et eorum hæredibus et successoribus in perpetuum, quòd villa prædicta et suburbia ejusdem et comitatus Bristoll' et omnia et singula loca infra præcinctus et libertates eorundem in perpetuum tam per terram quàm aquam sint exempta et separata, privata et absoluta à quâcunque

(1) *Exempted from the power of the Admiral.*] The encroachment and oppression of the court of Admiralty and its officers were a very frequent subject of complaint and petition during the reigns of Ric' 2, and the three Henries, and

particularly in Bristol. This was doubtless the reason why the town procured from Henry 4 an exemption from the jurisdiction of the Admiral, confirmed by the present charter. See in the Preface the list of charters deficient.

released, as well by land as by water, from all power, jurisdiction and office of the admiral and admirals of the kingdom of England of us, our heirs and successors, and of their commissioners and officers, deputies and lieutenants and ministers whatsoever for the time being; and that no admiral of England of us, our heirs or successors, or his lieutenant, commissioners, officers or deputies for the time being, nor any other admiral nor lieutenant, commissioner, officer or deputy of the same admiral or admirals of us or our heirs for the time being shall for the future in any manner enter the said town, nor the suburbs, precincts or port of the same town nor the county of Bristol by land or by water, for the purpose of inquiring, exercising, doing or performing any thing within the town, suburbs or precincts of that county and port, which belongs or can belong to the office of admiral: but that the said town, suburbs, county and all and singular places within the precincts and liberties of the same as well by land as by water shall be wholly for ever out of the power, jurisdiction and authority of the said admiral, admirals and their lieutenants, officers, deputies and ministers whatever: and that no admiral nor any admirals of England of us, our heirs, or successors,

Bristol exempted from the jurisdiction of the admiralty.

potestate, jurisdictione et officio admiralli et admirallorum regni nostri Angliæ, hæredum et successorum nostrorum et eorum commissionatorum et officiariorum, deputatorum et locum-tenentium et ministrorum quorumcunque pro tempore existentium; et quòd nullus admirallus noster Angliæ hæredum vel successorum nostrorum vel ejus locum-tenens, commissarii, officiaris vel deputati pro tempore existentes, nec aliquis alius admirallus nec locum-tenens, commissarius, minister, officarius vel deputatus ejusdem admiralli seu admirallorum nostrorum vel hæredum nostrorum pro tempore existentes villam prædictam, nec suburbia, præcinctus aut portum ejusdem villæ nec comitatum Bristoll' per terram seu per aquam de cætero ad aliquid infra villam, suburbia aut præcinctus comitatûs et portûs illius, quod ad officium admiralli pertinet seu pertinere poterit, inquirendum, exercendum, faciendum seu exequendum, ingrediantur seu ingrediatur quovis modo: sed quòd dicta villa, suburbia, comitatus, [*supple* ac omnia] et singula loca infra præcinctus et libertates eorundem tam per terram quàm per aquam sint omnino in perpetuum extra potestatem, jurisdictionem, et auctoritatem dictorum admiralli, admirallorum et eorum locum-tenentium, officiariorum, deputatorum et ministrorum suorum quorumcunque: et quòd nullus admirallus nec aliqui admiralli nostri Angliæ, hæredum vel successorum nostrorum, nec ejus aut eorum locum-tenentes, deputati, ministri nec officarii sui prædicti nec eorum aliquis infra

nor his or their lieutenants, deputies, ministers nor officers aforesaid, nor any one of them, shall introduce themselves within the said town, suburbs, precincts and port, nor within the county of Bristol by land or by water, on account of any thing which belongs or shall belong to the office of admiralty or to any office whatever of theirs in this respect; nor shall they cite, summon, distrain, attach or take either in their persons or their goods any person or persons within the same or any place within the precincts of the same for any cause whatever; nor shall they do, exercise or perform therein any thing which belongs or shall belong to such office; nor shall he or they in any manner sit in the same place judicially nor under pretext or colour of such his or their office: and that no one of the commonalty of the town aforesaid, nor any burgess of the same town for the time being, nor any one residing or being for a time within the same town, suburbs and county shall hereafter be drawn into plea or in any manner be compelled to answer within the same town, suburbs and precincts and county before the said admiral or admirals or his or their lieutenants, commissioners, officers or deputies for the time being, at the suit of us, our heirs or successors nor of any other person whatever or in any other manner, for things done upon the sea or elsewhere, nor for any

dictam villam, suburbia, præinctus et portum, nec infra comitatum Bristoll' per terram seu per aquam de aliquo quod ad officium admiralitatis aut eorum officium quodcunque in hoc pertinet seu pertinere poterit, [*supple se*] intromittat seu intromittant; nec aliquam personam seu personas infra eandem seu aliquem locum infra præinctus eorundem ex aliquâ causâ quâcunque citent, summoneant, dstringant, attachient, seu capiant in personis vel bonis; nec aliquod quod ad officium hujusmodi pertinet seu pertinere poterit in ibi faciant, exercent seu exequantur; nec ibidem judicialiter nec prætextu seu colore hujusmodi officii sui sedeant seu sedeat quovis modo: et quod nullus communitatis villæ prædictæ, nec aliquis burgensis villæ ejusdem pro tempore existens, nec aliquis infra eandem villam, suburbia et comitatum pro tempore residens seu existens de cætero trahatur in placitum, aut ad respondendum quovis modo compellatur infra eandem villam, suburbia et præinctus et comitatum coram prædictis admirallo seu admirallis seu ejus aut eorum locum-tenentibus, commissariis, ministris seu deputatis pro tempore existentibus ad sectam nostram, hæredum vel successorum nostrorum nec alterius cujuscunque seu alio modo



contracts, covenants, trespasses, misprisions or other offenses, things or matters whatever committed or arising in any manner by land or by water: and that neither the aforesaid mayor and commonalty nor their successors, nor the sheriffs of the said county for the time being, nor any other person residing or for a time being within the same town, county, liberties and precincts of the same shall permit neither the said admiral nor the said admirals, nor his or their lieutenants, deputies, commissioners or officers, or any one of them to exercise their jurisdiction or such their offices in the same place, nor shall obey or attend to them or the execution of their precepts or mandates in the same place; but shall be enabled lawfully and without punishment to resist and disobey them in any thing, if they shall act contrary to this our grant, without any impeachment, molestation or trouble, forfeiture, punishment or any loss, to us or our heirs or to such admiral or admirals of us or our said heirs for the time being, to be made, paid or satisfied, or in any manner to be levied. And moreover of our special grace and of our mere motion and certain knowledge aforesaid we have granted for us and our heirs aforesaid, and for us and our heirs aforesaid

quocunque de rebus super mare vel alibi factis, nec de aliquibus contractibus, conventionibus, transgressionibus, contemptibus, misprisionibus aut aliis offensis, rebus vel materiis quibuscunque per terram seu per aquam perpetratis seu emergentibus quovismodo: et quòd nec prædictus major et communitas nec eorum successores, nec vicecomites comitatùs prædicti pro tempore existentes, nec aliquis alius infra eandem villam, comitatum, libertates et præinctus eorundem residens seu pro tempore existens, nec præfatum admirallum nec præfatos admirallos, nec ejus aut eorum locum-tenentes, deputatos, commissarios, vel ministros aut eorum aliquem jurisdictionem seu officia sua hujusmodi ibidem exercere permittant seu permittat, nec eis nec eorum præceptis aut mandatis ibidem exequendis obediat seu intendat, obediant seu intendant; sed eis, si contra hanc concessionem nostram contravenerint, resistere in aliquo et disobedire licitè valeant et impunè, absque aliquibus impetitione, molestatione, seu gravamine, forisfacturâ, poenâ, aut aliquo deperdito nobis vel hæredibus nostris aut hujusmodi admirallo sive admirallis nostris aut dictorum hæredum nostrorum pro tempore existentium faciendo, solvendo, satisfaciendo seu quovis modo levando. **Et insuper** de gratiâ nostrâ speciali et ex mero motu et certâ scientiâ nostris prædictis pro nobis et hæredibus nostris prædictis concessimus, et pro nobis et hæredibus nostris prædictis concedimus eisdem majori et communitati, hæredibus et successoribus suis in

The king will grant a commission for trying admiralty causes.

we do grant to the same mayor and commonalty, their heirs and successors for ever, that in case <sup>2</sup>[there shall be] any thing which belongs or can hereafter belong to the office of admiral for any contracts, covenants, or any other things done or perpetrated on the sea or elsewhere, and which can or ought in any way to be inquired into, heard or determined within the town, county, liberties, port or precincts aforesaid for the reforming or correcting such things or contracts; that then we and our heirs, as often as there shall be occasion and necessity, will cause to be made and directed, or our heirs shall cause to be made and directed, a commission or commissions or letters patent to be made under our great seal on this behalf to the mayor and recorder of the town aforesaid for the time being and to other persons whom we shall judge, or our heirs aforesaid shall judge fit to be nominated, for the purpose of inquiring into all and all manner of such contracts, covenants, trespasses, offenses and things, which ought and were accustomed to be inquired into and determined by such admirals or in a court of admiralty; and for the purpose of hearing and determining all and singular such contracts, covenants, trespasses, offenses and things: and if any commission or commissions or letters patent

perpetuum, quòd in casu quo quicquam quod ad officium admiralli pertinet seu pertinere poterit pro aliquibus contractibus, conventionibus, aut quibuscunque aliis rebus super mare vel alibi factis sive perpetratis, et quæ infra villam, comitatum, libertates, portum seu præinctus prædictos pro hujusmodi rebus sive contractibus reformandis seu corrigendis inquiri, audiri, seu determinari poterunt seu debebunt quoquo modo; quòd tunc nos et hæredes nostri commissionem seu commissiones vel literas patentes sub magno sigillo nostro in hâc parte faciendas majori et recorderi villæ prædictæ pro tempore existentibus ac aliis personis, quas nos duxerimus vel hæredes nostri prædicti duxerint nominandas, quoties opus fuerit et necesse, fieri et dirigi faciemus, seu hæredes nostri fieri et dirigi facient ad inquirendum de omnibus et omnimodis hujusmodi contractibus, conventionibus, transgressionibus, offensis et rebus quæ per hujusmodi admirallos sive in curia admirallitatis inquiri et determinari debent et solebant; et ad omnes et singulos hujusmodi contractus, conventiones, transgressiones, offensas et res audiendas et determinandas: et si quæ commissio, commissiones sive literæ patentes, in contrarium hujusmodi concessionis nostræ

(2) These words are inserted from conjecture: there seems to be some error or omission in the Latin.

shall be made or delivered contrary to this our grant now granted, the same commission, commissions or letters patent, and all things done, found or executed by pretext of the same letters, and also all and singular things done, found or executed by the admiral or admirals of us and our heirs, their officers, deputies or ministers whatsoever contrary to this our present grant shall by force and virtue of these presents be void, ineffectual and held and in all things reputed and taken for nought: so that the admiral of England of us and our heirs for the time being, or his lieutenant, commissioner, officer, proctor or deputy, or the lieutenants, commissioners, officers, proctors or deputies of such admiral for the time being whatever shall not enter the town, county, suburbs, liberties, precincts, port or any of the places aforesaid by land or by water, or in any way introduce themselves or any one of themselves within the town, county, suburbs, liberties, port, precincts or any of the places aforesaid for the purpose of doing or exercising in any way therein any thing which belongs or can belong to the office of admiralty: but giving it strictly in charge by force of these presents to such admiral and admirals of us and our heirs for the time being and to their lieutenants, commissioners, officers, proctors, deputies, and ministers and to each of them under a heavy forfeiture of all things

concessæ factæ fuerint sive libertat [*lege liberatæ,*] eadem commissio, commissiones sive literæ patentes, et omnia prætextu earundem literarum facta, comperta sive executâ, necnon omnia et singula per admirallum sive admirallos nostros vel hæredum nostrorum, eorum officarios, deputatos, sive ministros quoscunque in contrarium præsentis concessionis nostræ facta, reperta seu executâ, vigore et virtute præsentium sint vacua, irrita et pro nullo sive nullis habita et in omnibus reputata et tenta: ita quòd admirallus noster Angliæ et hæredum nostrorum pro tempore existens, vel ejus locum-tenens, commissarius, officarius, procurator, vel deputatus, aut locum-tenentes, commissarii, officarii, procuratores vel deputati hujusmodi admiralli pro tempore, existentis quicunque villam, comitatum, suburbia, libertates, præcinctus, portum, aut singula loca prædicta per terram vel per aquam, ad aliquod in ibi, quod ad officium admiralitatis pertinet seu pertinere poterit, faciendum seu exercendum aliquo modo, non ingrediatur seu ingrediantur, seu se aut eorum aliquem infra villam, comitatum, suburbia, libertates, portum, præcinctus, aut singula loca prædicta aliquo modo intromittat seu intromittant: dantes autem hujusmodi admirallis nostris et hæredum nostrorum pro tempore existentibus ac eorum loca-tenentibus, commis-

which they can forfeit to us and our heirs, that they and each of them on the sole production or shewing of these presents shall comply with and obey all and singular the premises, without soliciting or obtaining any writ or any other process or mandate to be directed to them in this behalf for the future; not counteracting the premises in any respect because <sup>3</sup>express mention be not made in these presents of the true annual value or any other value of all and singular the premises or of other gifts and grants made heretofore to the same mayor and commonalty or their predecessors by us or our progenitors; or any statutes, ordinances, provisions, acts or restrictions made or to be made to the contrary notwithstanding. In witness whereof we have caused these our letters to be made patent. **Witness** myself at Westminster on the 22d day of October in the first year of our reign.

sariis, officariis, procuratoribus, deputatis et ministris et eorum cuilibet, sub gravi forisfacturâ omnium quæ nobis et hæredibus nostris forisfacere poterunt, tenore præsentium firmiter in mandato, quod ipsi et eorum quilibet super solâ exhibitione seu demonstratione præsentium omnibus et singulis præmissis pareant et obedient, absque aliquo brevi seu aliquo alio processu seu mandato in hac parte eis dirigendo, prosequendo, seu obtinendo in futuro; ea in aliquo non contravenientes, eò quòd expressa mentio de vero valore annuo aut aliquo alio valore omnium et singulorum præmissorum, aut de aliis donis et concessionibus eisdem majori et communitati aut predecessoribus suis per nos seu progenitores nostros ante hæc tempora factis in præsentibus minimè facta existit; aut aliquibus statutis, ordinationibus, provisionibus, actis, seu restrictionibus, in contrarium factis seu faciendis non obstantibus. In cujus rei testimonium has literas nostras fieri fecimus patentas. **Teste** meipso apud Westm' vicesimo secundo die Octobris, anno regni nostri primo.

(3) *Express mention.*] By stat' 1 Hen' 4, cap' 6, 'It is ordained that all they, which from henceforth do demand of the king lands, tenements, &c. shall make express mention in their petitions of the value of the thing so to be demanded, and also of that which they have had of the king's gift, or of other his progenitors or predecessors before: and in case they make not such mention in their said petitions, and that duly proved, the king's letters patents thereof made, shall not be available, nor of any

'force nor effect, but wholly revoked, repealed and annulled for ever.'

*Date.*] Edward 4, in the summer of this year, made a progress through the southern and western parts of England, and in the beginning of September came to Bristol; at which time it is probable that Mr. Canuings and others of his party solicited these charters.

## XXII.

### CHARTER OF EDW' IV. DATED 12 FEB' 1 EDW' 4, i' e' 146½.

**Edward** by the grace of God king of England and France and lord of Ireland to all to whom these presents shall come [sendeth] health. **Know ye** that whereas Henry the sixth late king of England on the 15th day of March in the 24th year of his reign by his letters patent committed and granted to Nicholas Hill then the mayor of the town of Bristol and to the commonalty of the same town the same town with the gates, ditches, and walls of the same town and suburbs, also all other the lands, tenements, rents and services, and the *Flesh-shambles*, which The town, &c. granted to the burgesses by Henry 6. <sup>1</sup>Joanna late queen of England held for the term of her life in the same from the grant of the lord Henry the fourth, likewise king of England late her husband, made to the same late queen

### XXII. *Carta 12 Feb' 1 Edw' 4, i' e' 146½.*

**Edwardus** Dei gratiâ rex Angliæ et Franciæ et Dominus Hiberniæ omnibus ad quos præsentis literæ pervenerint salutem. **Sciatis** quòd cum Henricus nuper rex Angliæ sextus quinto decimo die Martii anno regni sui vicesimo quarto per literas suas patentes commiserit et concesserit Nicholao Hill tunc majori villæ Bristoll' et communitati ejusdem villæ eandem villam cum suburbiis ejusdem, cum portis, fossis, ac muris eorundem villæ et suburbiorum, necnon omnia alia, terras et tenementa, redditus et servicia et le *Fleshambles*, quæ Johanna nuper regina Angliæ tenuit ad terminum vitæ suæ in eâdem ex concessione domini Henrici quarti similiter regis

(1) *Joanna.*] Joan of Navarre, king Henry the fourth's second wife, daughter of Charles 2, king of Navarre. She outlived her husband and his son Henry 5, and died in 15 Hen' 6, 1437; about 9 years after whose death it appears by these presents that Henry 6 granted to the town the property which she held here for her life.

for the same term; together with the houses, shops, cottages, sheds, tofts, gardens, mills, pools, water-course running down to those mills, rents, landgables, and local tolls, pleas of courts, fairs, markets whatsoever and courts in the same town and suburbs; with all fines, issues, redemptions and amercements and all other jurisdictions, customary payments and appurtenances of the town and suburbs aforesaid with the appurtenances, together with the reversion of all lands, tenements, rents, and services within the precincts of the said town of all tenants for term of life or years, granted by the same king Henry the sixth or any of his progenitors formerly kings of England or by any other grant or grants from whence the reversion at that time pertained or any ways belonged to the same late king; together with the fermes and rents reserved therefrom (the castle of the said town and the ditch of the same only excepted; nevertheless he then granted to the same mayor and commonalty the water-course running down in the aforesaid ditch toward the mill under the castle, as of old time it used to do, together with the banks of the same water for the space of four feet in breadth toward the said castle): all and singular the premises to be had,

For the term  
of sixty years.

holden and occupied to them and their successors until the end

Angliæ quondam viri sui eidem nuper reginæ ad eundem terminum factâ; simul cum domibus, shoppis, cottagiis, seldis, toftis, gardinis, molendinis, stagnis, cursu aquæ ad molendina illa decurrente, redditibus, langabulis, et local' theloniis, placitis curiis [*lege* curiarum], feriis, mercatis quibuscunque, [*supple* et] curiis in eisdem villâ et suburbiis; cum omnibus finibus, exitibus, redemptionibus, et amerciamentis et omnibus aliis jurisdictionibus, consuetudinibus et pertinentiis villæ et suburbiorum prædictorum cum pertinentiis, una cum reversione omnium terrarum, tenementorum, reddituum et servitorum infra præcinctis villæ prædictæ quorumcunque tenentium ad terminum vitæ vel annorum, per eundem regem Henricum sextum vel aliquem progenitorum suorum quondam regum Angliæ, vel alias quascunque concessionem vel concessiones [*supple* concessorum], unde reversio tunc eidem nuper regi competebat, pertinebat, vel spectabat quovis modo; unâ cum firmis et redditibus inde reservatis (castro villæ prædictæ et fossato ejusdem tantummodo exceptis; cursum tamen aquæ decurrentis in prædicto fossato versus molendinum subtus castrum, sicut ex antiquo consuevit, cum ripis ejusdem aquæ per spatium quatuor pedum in latitudine versus castrum prædictum eisdem tunc majori et communitati concessit): habenda, tenenda et occupanda omnia et singula præmissa sibi et successoribus suis

and during the term of sixty years next and immediately following after the compleating and finishing of twenty years specified in the said letters: and [whereas] he further granted to the same the then mayor and commonalty, that they should have to themselves and their successors immediately after the compleating and finishing of the said twenty years, during the same term of sixty years, certain liberties, franchises, commodities, and other things under a certain form specified in his aforesaid letters: paying thence annually to the same late king Henry the sixth and his heirs at his exchequer after the said twenty years past and finished during the aforesaid term of sixty years £102 15s. 6d. at the feasts of Easter and of St. Michael the archangel by equal portions; and to the abbot of Tewksbury and his successors for the tithes of the town aforesaid £14 10s; to the prior of St. James of Bristol and his successors out of the annual rent of the mill of the town aforesaid sixty shillings; to the constable of the castle of Bristol and to his officers for the time being, viz. to the porter and watchman of the said castle and to the forester of Kingswood £39 14s. 6d.; to be paid during the said term of sixty years at the two aforesaid terms of the year by equal portions instead of all services and burdens, as was more fully

Other liberties  
&c. granted  
by Henry 6.

Rents payable  
to king Henry  
6, and others.

usque ad finem et durante termino sexaginta annorum proximè et immediatè sequentium post viginti annos in literis prædictis specificatos completos et finitos: Et ulterius concessit eisdem tunc majori et communitati, quòd ipsi haberent sibi et successoribus suis, immediatè post dictos viginti annos completos et finitos, durante eodem termino sexaginta annorum, certas libertates, franchises, commoditates, et alias res sub certâ formâ in prædictis literis suis specificatâ: Reddendo inde annuatim eidem nuper regi Henrico sexto et hæredibus suis ad scaccarium suum post dictos viginti annos elapsos et finitos durante termino prædicto sexaginta annorum centum et duas libras, quindecim solidos et sex denarios ad festa paschæ et sancti Michaelis archangeli per æquales portiones; et abbati de Tewksbury et successoribus suis pro decimis villæ prædictæ quatuordecim libras et decem solidos; priori Sancti Jacobi Bristoll' et successoribus suis de annuo redditu molendini villæ prædictæ sexaginta solidos; constabulario castri Bristoll' et ministris suis pro tempore existentibus, viz. janitori et vigilatori dicti castri et forrestario de Kingswood triginta et novem libras, quatuordecem solidos, et sex denarios; solvendos durante termino prædicto sexaginta annorum ad prædictos duos anni terminos per æquales portiones pro omnibus servitiis et oneribus, prout in literis illis plenius continebatur: jamque dilecti nobis nunc major et com-

Former charter surrendered.

contained in those letters: and now [whereas] our beloved the now mayor and commonalty of our said town of Bristol have restored to us into our chancery the said letters of the before-mentioned late king Henry the sixth to be cancelled; **We** accepting that restitution release and by these presents for ever acquit the same now mayor and commonalty and their successors of the ferm aforesaid and of each of the rents and burdens aforesaid in form aforesaid; and we remit, and by these presents release for ever the same ferm and burdens to the same now mayor and commonalty and their successors. **And further** of our especial grace and from our certain knowledge and mere motion we have granted and committed and by virtue of these presents for ourselves and our heirs as far as lies in our power, we commit to the aforesaid now mayor and commonalty and to their successors and to the aforesaid burgesses, their heirs and successors, our said town of Bristol with the suburbs of the same and with the gates, ditches and walls of the same town and suburbs; and moreover all and all manner of lands, tenements, and services, and the *Flesh-shambles*, pertaining or belonging to us within the aforesaid town and suburbs, the liberties and precincts of the same; together with the houses, shops, cottages, cellars, tofts, gardens, mills, pools, water-course running down

The town, &c. is granted to the mayor, &c.

munitas dictæ villæ nostræ Bristoll' dictas literas præfati nuper regis Henrici sexti nobis in cancellariam nostram restituerunt cancellandas; **Nos** restitutionem illam acceptantes eosdem nunc majorem et communitatem et successores suos de firmâ prædictâ aut [*l'* et] singulis redditibus et oneribus prædictis in formâ prædictâ exoneramus et acquietamus in perpetuum per præsentem; ac eadem firmam et onera eisdem nunc majori et comunitati et successoribus suis remittimus et relaxamus in perpetuum per præsentem. **Et ulterius** de gratiâ nostrâ speciali ac ex certâ scientiâ et mero motu nostris concessimus et commisimus ac tenore præsentium pro nobis et hæredibus nostris (quantum in nobis est) committimus præfato nunc majori et communitati et successoribus suis ac prædictis burgensibus, hæredibus et successoribus suis prædictam villam nostram Bristoll' cum suburbiis ejusdem, ac cum portis, fossis et muris eorundem villæ et suburbiorum; necnon omnia et omnimoda terras, tenementa, ac servitia ac les *Fleshambles* nobis infra villam prædictam, ac suburbia, libertates, et præinctus ejusdem pertinentia sive spectantia; simul cum domibus, shoppis, cottagiis, selleriis, toftis, gardinis, molendinis, stagnis, cursu aquæ ad molendinum illud decurrentis, redditibus, langabulis et local' theoloniis, placitis curiis [*l'* curiarum], feriis,



to that mill, rents, landgables and local tolls, pleas of courts, fairs, markets whatsoever and courts, pertaining or any ways belonging to us in the same town, suburbs, liberties and precincts; and with all manner of fines, issues, redemptions and amercements forfeited and adjudged, and to be forfeited and adjudged in the same, and with all other jurisdictions and customary payments and appurtenances of the town and suburbs aforesaid with the appurtenances; together with the reversion of all lands and tenements and services within the town, suburbs, liberties and precincts aforesaid of all tenants for term of life or years granted or committed by us or any of our progenitors and late kings of England or by any persons whatsoever, from whence the reversion at present anywise belongs or pertains to us; together with the fermes and rents reserved from thence, the aforesaid castle and ditch of the same only being excepted; (nevertheless the water-course in the said ditch running down in the said ditch toward the mill below the castle, as of old it used to do, with the banks of the same water for the space of four feet in breadth toward the said castle, which by virtue of these presents we grant to the said mayor and commonalty and their successors and to the said burgesses, their heirs and successors, being wholly

The castle and ditch is excepted, but the water-course is granted.

mercatis quibuscunque, [*supple* et] curiis nobis in eisdem villâ, suburbiis, libertatibus et præcinctibus pertinentibus sive quibuscunque [*supple* modis] spectantibus; et cum omnimodis finibus, exitibus, redemptionibus et amerciamentis in eisdem forisfactis et adjudicatis ac forisfaciendis et adjudicandis, et omnibus aliis jurisdictionibus et consuetudinibus et pertinentiis villæ et suburbiorum prædictorum cum pertinentiis; unâ cum reversione omnium terrarum et tenementorum et servitorum infra villam, suburbia, libertates et præcinctus prædictos quorumcunque tenentium ad terminum vitæ vel annorum per nos vel aliquem progenitorum nostrorum et quondam regum Angliæ vel aliquos quoscunque concessorum vel commissorum, unde reversio ad præsens nobis competit, pertinet seu spectat quovis modo; una cum firmis et redditibus inde reservatis, castro prædicto et fossato ejusdem tantummodò exceptis; (cursu tamen aquæ decurrentis in prædicto fossato versus molendinum subtus castrum, sicut ex antiquo consuevit, cum ripis ejusdem aquæ per spatium quatuor pedum in latitudine versus castrum prædictum, quæ præfatis majori et communitati et successoribus suis ac prædictis burgensibus, hæredibus et successoribus suis tenore præsentium concedimus, eisdem burgensibus, hæredibus et successoribus suis omnino reservato): Habenda et tenenda et occupanda omnia et singula præmissa præfatis nunc majori

reserved to the same burgesses, their heirs and successors):  
 all and singular the premises to be had, holden and occupied  
 by the said now mayor and commonalty and by their successors,  
 and by the said burgesses, their heirs and successors from the  
 feast of St. Michael last past for ever. **And further** we have  
 granted for ourselves and our heirs aforesaid to the same now  
 mayor and commonalty and their successors and to the said  
 burgesses, their heirs and successors, that from the same feast  
 of St. Michael for ever they may have for themselves and their  
 successors all fines, redemptions and amercements, and also all  
 issues forfeited and to be forfeited as well of all men as of all  
 tenants, sole tenants and not sole tenants, residing and not residing,  
 in and out of fees, lands and tenements with their appurtenances,  
 and in and out of all places being within the precincts of the said  
 town of Bristol and suburbs of the same and county of Bristol  
 (the said castle and ditch excepted): and also [we have granted]  
 all things which can belong to us and our heirs within the town,  
 suburbs, liberties, county and precincts aforesaid, from <sup>2</sup>year, day  
 and waste, forfeiture and fine for murder; in whatsoever courts  
 of us and our heirs it shall happen that all men and tenants,

To be holden  
for ever.

Fines, forfei-  
tures &c. are  
granted.

Year, day and  
waste, forfei-  
ture and mur-  
der granted.

et communitati et successoribus suis, et præfatis burgensibus, hæredibus et successoribus suis à festo Sti' Michaelis ultimo præterito in perpetuum. **Et ulterius** concessimus pro nobis et hæredibus nostris prædictis eisdem nunc majori et communitati et successoribus suis, ac præfatis burgensibus, hæredibus et successoribus suis, quòd ipsi in perpetuum ab eodem festo Sti' Michaelis habeant sibi et successoribus suis omnes fines, redemptiones et amerciamenta, necnon existus forisfactos et forisfaciendos tam omnium hominum quam omnium tenentium, integrè tenentium, et non integrè tenentium, residentium et non residentium, in et de feodis, terris et tenementis cum suis pertinentiis ac singulis locis infra præcinctus dictæ villæ Bristoll' et suburbia ejusdem ac comitatum Bristoll' existentibus (dictis castro et fossato exceptis): necnon omnia, quæ ad nos et hæredes nostros infra villam, suburbia, libertates, comitatum et præcinctus prædictos pertinere poterunt de anno, die et vasto, forisfacturâ et murthero; in quibuscunque curiis nostris et hæredum nostrorum omnes homines et tenentes, illos aut aliquem eorum, tam coram nobis et hæredibus

(2) *Year, day and waste*] 'is a part of the king's prerogative, whereby he challengeth the profits of their lands and tenements for a year and a day, that are attained of petit treason or felonie, whosoever be lord of the manor, whereunto the

'lands or tenements doe belong; and not onely so, but in the end wasteth the tenement, destroyeth the houses, &c. except the lord of the fee agree with him for the redemption of such waste.' Cowell.

they or any of them, shall pay fines and amercements or be amerced, as well before us and our heirs as before us and our heirs in the chancery of us and our heirs, and also before the treasurer and barons of us and our heirs of the exchequer, and before the <sup>3</sup> barons of us and our heirs of the exchequer, and before the justices of us and our heirs itinerant for common pleas and pleas of the forest, and also before the justices of us and our heirs of the bench, and the justices of us and our heirs for taking assises and delivering gaols, and also before the justices of us and our heirs assigned for hearing and determining and for inquiring into felonies and trespasses and misdemeanours, and before the steward and marshall and coroner of the household of us and our heirs, and the clerk of the market of the household of us and our heirs, and also before any other justices and officers of us and our heirs whatsoever; or [in whatsoever courts it shall happen] that such issues and fines for murder, and forfeitures, year, day and waste shall be adjudged and forfeited; as fully and entirely as we should have had them, if we had kept the the town, county, suburbs and fees, lands, tenements and places aforesaid in our own hand: so that the same now mayor and

nostris quàm coram nobis et hæredibus nostris in cancellariâ nostrâ et hæredum nostrorum, necnon coram thesaurario et baronibus nostris et hæredum nostrorum de scaccario, ac coram baronibus nostris et hæredum nostrorum de scaccario, ac justiciariis nostris et hæredum nostrorum itinerantibus ad communia placita et placita forestæ; et etiam coram justiciariis nostris et hæredum nostrorum de banco, ac justiciariis nostris et hæredum nostrorum ad assizas capiendas et goalas deliberandas; ac etiam coram justiciariis nostris et hæredum nostrorum ad felonias et transgressiones et malefacta audienda et terminanda, et ad inquirenda assignatis; et coram senescallo et marescallo et coronatore hospitii nostri et hæredum nostrorum, necnon clerico mercati hospitii nostri et hæredum nostrorum; ac etiam coram aliis justiciariis et ministris nostris et hæredum nostrorum quibuscunque, fines et redemptiones facere vel amerciari; aut hujusmodi exitus, et murdra, et forisfacturas, annum, diem, et vastum adjudicari et forisfieri contigerit; adeò plenè et integrè sicut ea habuerimus, si villam, comitatum, suburbia et feoda, terras, tenementa et loca prædicta in manu nostâ retinuissemus: ita quòd iidem nunc major et communitas

(3) *Barons of the exchequer.*] It appears from *Madox's History of the Exchequer*, cap' 22, that the business of that court was done sometimes by the treasurer and barons and sometimes by the barons alone.

commonalty of the same our town of Bristol and their successors, and the aforesaid burgesses and their successors from the said feast of St. Michael last past for ever shall be empowered to levy, gather and receive by the hand of the sheriff of the county of Bristol and of their bailiffs the fines, redemptions and ameracements aforesaid and the issues forfeited in form aforesaid, and all things which might belong to us and our said heirs in form aforesaid out of year, day and waste, forfeiture and fine for murder from and in the said town, county, suburbs and fees, lands, tenements, and places aforesaid by estreat of the exchequer of us and our heirs, to be delivered from thence to the bailiffs and officers of the same mayor and commonalty and their successors and of the said burgesses, their heirs and successors by the hands of the sheriff of Bristol and of his successors sheriffs of the same county for the time being, in whose bailiwicks the fees, lands, tenements and places aforesaid are; [these they shall be empowered to levy] from the lands, tenements, possessions, goods and chattels of the same men and tenants without let or hindrance of us or our heirs or the bailiffs or officers of us or our heirs whatsoever: **and that** the same now mayor and commonalty and their successors and the said burgesses, their heirs and successors from the feast of St Michael last past for ever shall have in the town,

*ejusdem villæ nostræ Bristoll' et successores sui ac prædicti burgenses et successores sui a dicto festo Sti' Michaelis ultimo præterito in perpetuum per manum vicecomitis comitatûs Bristoll' et ballivorum suorum fines, redemptiones, et amerciamenta prædicta ac exitus forisfactos in formâ prædictâ, et omnia quæ ad nos et ad dictos hæredes nostros in formâ prædictâ pertinere poterunt de anno, die, et vasto, forisfacturâ et murthero de et in dictis villâ, comitatu, suburbiis et feodis, terris, tenementis et locis prædictis per extract' scaccarii nostri et hæredum nostrorum, ballivis et ministris eorundem majoris et communitatis et successorum suorum ac prædictorum burgensium, hæredum et successorum suorum per manus vicecomitis Bristoll et successorum suorum vicecomitum ejusdem comitatûs pro tempore existentium, in quorum balliis feoda, terræ, tenementa et loca prædicta existunt, inde liberand', levare, percipere et habere possint, de terris, tenementis, possessionibus, bonis et catallis eorundem hominum et tenentium sine occasione vel impedimento nostri vel hæredum nostrorum aut ballivorum seu ministrorum aut hæredum nostrorum quorumcunque: **et quod** iidem nunc major et communitas et successores sui ac dicti burgenses, hæredes et successores sui in perpetuum habeant à dicto festo Sti' Michaelis ultimo præterito in villâ, comitatu et suburbiis, terris, tenementis, feodis, et locis prædictis, castro et fossato ejusdem*

county and suburbs, lands, tenements, fees and places aforesaid, the castle and ditch of the same excepted, the chattels of felons and <sup>4</sup>fugitives, the chattels of *felons de se*, the chattels of outlaws, Goods of felons, fugitives, outlaws, &c. granted to the mayor, &c. of persons condemned, and <sup>5</sup>waifs: so that if any of the men and tenants aforesaid or any other in the town, county and suburbs, fees and places aforesaid, excepting those places before excepted, ought to lose life or limb, or shall flee and not choose to stand trial, or shall commit any offence for which he or they ought to lose their chattels, wheresoever justice ought to be done on them on that account, whether in the court of us or our heirs before us and our heirs or before the justices and officers of us and our heirs whatsoever before mentioned or in any other court, their chattels which shall be found within the said town, county, suburbs, liberties and precincts shall belong to the mayor and commonalty and their successors, and to the said burgesses, their heirs and successors from the said feast of St. Michael last past for ever: and [we have granted] that it shall be lawful for the officers of them the mayor and commonalty and their successors, and of the aforesaid burgesses, their heirs and successors, without let or hindrance of us or our heirs, or of any other bailiffs or

exceptis, catalla felonum, et fugitivorum, catalla felonum de se, catalla utlagatorum, damnatorum et waviata: ita quòd si quis hominum et tenentium prædictorum aut alius in villâ, comitatu, et suburbiis, feodis et locis prædictis (exceptis præexceptis) pro aliquo delicto vitam vel membrum debeant seu debeat amittere, seu fugerint aut fugerit, et iudicium stare noluerint vel noluerit, vel aliquod delictum fecerint seu fecerit, pro quo catalla sua debeant seu debeat perdere, ubicunque de eis justitia inde fieri debeat, sive in curiâ nostrâ vel hæredum nostrorum coram nobis et hæredibus nostris seu coram justitiariis et ministris nostris vel hæredum nostrorum quibuscunq' supra dictis, sive in aliâ curiâ, sint ipsa catalla infra dictam villam, comitatum, suburbia, libertates et præcinctus invenienda ipsorum majoris et communitatis et successorum suorum ac dictorum burgensium, hæredum et successorum suorum á dicto festo Sti' Michaelis ultimo præterito in perpetuum: ac liceat ministris ipsorum majoris et communitatis et successorum suorum, ac prædictorum burgensium, hæredum et successorum suorum sine occasione vel impedimento nostri

(4) *Chattels of fugitives.* 'Fugitives goods [*bona fugitivorum*] be the proper goods of him, that flyeth upon felony; which after the flight lawfully found doe belong to the king.' —Cowell.

(5) *Waifs* 'are goods which are stolen and waived or left by the felon on being pursued, for fear of being apprehended; which are forfeited to the king or lord of the manour.' Jacob.

officers of us or our heirs whatsoever, to put them the mayor and commonalty and their successors and the said burgesses, their heirs and successors in seisin of those chattels for the purpose of keeping them for the use and profit of the same mayor and commonalty and their successors and of them the burgesses, their heirs and successors: **And** [we have granted] **that** the same now mayor and commonalty and their successors and the said burgesses, their heirs and successors for ever shall hold the said town of Bristol with the suburbs of the same, the lands, tenements, fees and places aforesaid whatsoever within the liberties and precincts of the same town, together with the fairs and markets, waters, rivers, ways, fisheries, commons, <sup>6</sup>assarts, wastes, and <sup>7</sup>purprestures, and also the <sup>8</sup>rents and returns of all assarts, wastes and purprestures in all places aforesaid within the precincts of the same town, as is aforesaid, rented and hereafter to be rented as well in the times of our progenitors formerly kings of England as in our own times; together with the fines for the entrance of such assarts and wastes

The town with the lands, commons, wastes, &c. granted to the burgesses, &c.

vel hæredum nostrorum aut aliorum ballivorum seu ministrorum nostrorum vel hæredum nostrorum quorumcunque ipsos majorem et communitatem et successores suos ac prædictos burgenses, hæredes et successores suos in seisinam catallorum illorum ad ea in eorundem majoris et communitatis et successorum suorum, ac ipsorum burgensium, hæredum et successorum suorum usum et proficuum retinenda ponere: **Et quod** iidem nunc major et communitas et successores sui ac prædicti burgenses, hæredes et successores sui in perpetuum teneant dictam villam Bristoll' cum suburbiis ejusdem, terris, tenementis, feodis et locis prædictis quibuscunque infra libertates et præcinctus ejusdem villæ, una cum feriis et mercatis, aquis, ripariis, viis, piscariis, communiis, assartis, vastis, et purpestris, ac etiam <sup>8</sup>arentationibus et redditibus quorumcunque assartorum, vastorum et purpestrarum, tam temporibus progenitorum nostrorum quondam regum Angliæ quàm nostris in omnibus locis prædictis infra præcinctus ejusdem villæ, ut prædictum est, arentatorum et ex nunc arentandorum; uná cum finibus pro ingressu hujusmodi

(6) *Assarts.*] An assart is part of a forrest, cleared and cultivated. 'Assartum est, quod redactum est ad culturam.'—*Fleta*. 'Assart is the greatest offence that can be done in the forest, containing in it as much as waste and more. For whereas waste is but the felling and cutting down the coverts, which may grow up again, an assart is plucking them up by the roots.' Cowell. Licence was sometimes granted to assart parts of the forest, and it appears by the

present passage, that the assarts were let out.

(7) *Purprestures.*] A purpresture is an encroachment; and here it means an encroachment of land.

(8) *Rents and returns.*] *Arentatio* is a rent payable in money; *redditus* was originally a return paid in produce; altho' *redditus* might be afterwards used for a money-rent.

and purprestures so rented or to be rented; and with court of view of frank-pledge, hundred-court, wreck, viz. wreck of the sea and <sup>9</sup>wrecks royal, waife and <sup>10</sup>straiße and royal fish arising and which shall arise or happen within the said town and the county and jurisdiction of the same; and with the other customs and all other things which of what sort soever and wheresoever, as is before mentioned, shall appertain or shall belong for ever to the said town, county and suburbs and precincts, and also to the lands, tenements, places and fees aforesaid. **And further** we have granted and by these presents grant for us and our heirs to the same the now mayor and commonalty and their successors, that from the said festival of St. Michael last past they shall have all fines, redemptions, issues forfeited, amercements, forfeitures and other profits whatsoever in the <sup>11</sup>courts itinerant of the forest or by reason of the same courts itinerant, as well for trespasses of <sup>12</sup>vert and venison as for any other offenses and causes whatever, proceeding or arising in the said town of Bristol, and also in all and singular places and fees within the precincts

Fines, &c. before the justices of the forest granted to the burgesses.

assartorum et vastorum et purpresturarum sic arentatorum sive arentandorum; et cum curiâ visûs franci-plegii, hundredi, wreck, viz' wreck maris et wreck regalibus, waife et straiße, piscibus regalibus infra dictam villam et comitatum ac jurisdictionem eorundem emergentibus et emergendis seu accidendis; ac aliis consuetudinibus et omnibus aliis quæ ad dictam villam, comitatum, et suburbia et præcinctus, necnon terras, tenementa, loca et feoda prædicta qualiacunque et ubicunque, ut prædictum est, pertinebunt seu accident in perpetuum. **Et ulterius** concessimus ac per præsentis concedimus pro nobis et hæredibus nostris eisdem nunc majori et comunitati et successoribus suis ac prædictis burgensibus, hæredibus et successoribus suis, quòd ipsi in perpetuum à dicto festo Sti' Michaelis ultimo præterito habeant omnes fines, redemtionem, exitus forisfactos, amerciamenta, forisfacturas et alia proficua quæcunque in <sup>11</sup>itineribus de forestâ seu ratione eorundem itinerum, tam pro transgressionibus de viridi et venatione quàm pro delictis et causis aliis quibuscunq' provenientibus seu emergentibus in villâ prædictâ Bristol', necnon in

(9) *Wrecks royal.*] It probably means wrecks of ships belonging to the king.

(10) *Straiße.*] Stray cattle.

(11) *In itineribus de forestâ.*] 'Eyre [iter] signifieth the court of justices itinerants: . . . the eyre also of the forest

'is nothing but the justice-seat [assisa] otherwise called; which is or should by ancient custome bee held every three yeare by the justices of the forrest journeying up and down to that purpose.' Cowell.

(12) *Trespasses of vert and venison*] The stealing of wood and venison from the forest.

of the same town, as is before mentioned; so that the same now mayor and commonalty and their successors and the said burgesses, their heirs and successors for ever from the same feast of St. Michael shall be empowered to levy, collect and have by the hand of their bailiffs and officers the fines, redemptions, issues forfeited, amercements, forfeitures and other profits aforesaid from those persons who shall be in and of the town of Bristol and suburbs of the same, the lands and tenements, places and fees aforesaid within the precincts of the said town (the castle and ditch of the same castle being excepted) by estreat of the justices in eyre of the forest and of the other justices in eyre of us and our heirs in their circuits, to be delivered from them to the same bailiffs and officers of the said mayor and commonalty and their successors: and that they may have and collect at the exchequer of us and our heirs, by the hand of the sheriffs and bailiffs of the liberties in which they shall be bailiffs, all the fines, redemptions, issues forfeited and amercements, forfeitures and other profits aforesaid from those persons who shall be of and in the said town of Bristol and the suburbs of the same (as is before mentioned) and of and in the lands and tenements, places and fees aforesaid within the precincts of the same town of Bristol and the suburbs of the same; as we and our heirs should

omnibus et singulis locis et feodis infra præcinctus ejusdem villæ, ut prædictum est; ita quod iidem nunc major et communitas et successores sui, ac dicti burgenses, hæredes et successores sui in perpetuum ab eodem festo Sti' Michaelis 13 [*dele* habeant] per manum ballivorum et ministrorum suorum fines, redemptiones, exitus forisfactos, amerciamenta, forisfacturas et alia proficua prædicta de illis, qui in et de villâ Bristoll' et suburbiis ejusdem, terris et tenementis, locis et feodis prædictis infra præcinctus villæ prædictæ fuerint (castro et fossato ejusdem castrî exceptis) per extract' justiciariorum itinerantium de forestâ et aliorum justiciariorum nostrorum itinerantium et hæredum nostrorum in itineribus suis, eisdem ballivis et ministris dictorum majoris et communitatis et successorum suorum inde liberand', levare, percipere et habere possint: et omnes fines, redemptiones, exitus forisfactos et amerciamenta, forisfacturas et alia proficua prædicta, de illis qui fuerint de et in dictâ villâ Bristoll' et suburbiis ejusdem (ut prædictum est) necnon terris et tenementis, locis et feodis prædictis infra præcinctus ejusdem villæ Bristoll' et suburbia ejusdem habeant et percipiant ad scaccarium nostrum et hæredum nostrorum per manum vicecomitum et

(13) *Habeant.*] Either the word *habeant* is redundant, or the word *et* must be inserted before *levare, percipere, &c.*



have collected them, if they should have belonged to us and our heirs, without let or hindrance of us or our heirs or of our bailiffs or officers whatsoever, if we had retained the said town, county, suburbs, and fees, lands, tenements, and places aforesaid in our own hand. **And further** we have granted for us and our heirs, that the same mayor and commonalty and their successors, and the aforesaid burgesses, their heirs and successors for ever may have and hold the said town of Bristol with the suburbs of the same, and also the lands, tenements, places, and fees aforesaid (the said castle and ditch excepted) from the said feast of St. Michael the archangel last past with the franchises and liberties howsoever belonging and pertaining to the same, together with the fines, redemptions, issues and amercements, the chattels of outlaws and fugitives, escheats, forfeitures and <sup>14</sup>deodands, which shall arise or shall happen within the precincts of the town, the county and suburbs aforesaid and all places as well by land as by water within the liberty and jurisdiction of the same, together with all other profits in the same places arising or which shall arise or happen; and also all profits and emoluments as well

Recapitulation of the aforesaid privileges and others.

ballivorum libertatum in quibus ballivi fuerint; sicut nos et hæredes nostri ea perceperimus, si ad nos et hæredes nostros pertinere potuerint, sine occasione vel impedimento nostri vel hæredum nostrorum aut ballivorum aut ministrorum nostrorum quorumcunque, si dictam villam, comitatum, suburbia, et feoda, terras, tenementa ac loca prædicta in manu nostrâ retinuissemus. **Et ulterius** concessimus pro nobis et hæredibus nostris, quòd iidem major et communitas et successores sui ac prædicti burgenses, hæredes et successores sui in perpetuum habeant et teneant dictam villam Bristoll' cum suburbiis ejusdem, necnon terras, tenementa, loca et feoda prædicta (dictis castro et fossato exceptis) a dicto festo Sti' Michaelis archangeli ultimo præterito, cum franchisiis et libertatibus eisdem qualitercunque spectantibus sive pertinentibus, unâ cum finibus, redemptionibus, exitibus et amerciamentis, catallis utlegatorum et fugitivorum, escaetis, forisfacturis et deodandis infra præinctus villæ, comitatum et suburbia prædicta et singula loca tam per terram quàm per aquam infra libertatem et jurisdictionem eorundem emergendis, sive accidendis, cum omnibus aliis proficuis ibidem emergentibus et emergendis sive accidendis; ac etiam omnia proficua et emolumenta tam de punitione de falso judicio in quacunque curiâ reddito et

(14) *Deodands.*] A deodand is that which having been the cause of a man's death is forfeited to the king or the lord. It is so called, because the thing or rather the value of it was anciently given to the church to be distributed in charity.

Except es-  
cheats of  
lands.

from punishment for false judgement given or to be given in any court as for judgement annulled or to be annulled in any court within the precincts of the said town and suburbs of the same; and moreover all other profits, treasure trove, emoluments (howsoever they may happen) as well from forests, parks, woods, warrens, pools, waste places, marshes, moors, mines, as from all other things, which can in any way arise within the town aforesaid, as was before mentioned; any prerogative, privilege or franchises notwithstanding, (all <sup>15</sup> escheats of lands and tenements hereafter happening being wholly excepted): and that the same now mayor and commonalty and their successors for ever shall have from the said feast of St. Michael last past the privileges, liberties and emoluments or profits, rights and commodities aforesaid within the precincts of the said town of Bristol, and all things whatsoever arising or which shall arise or belonging to them from all men residing and not residing, sole tenants or not sole tenants, out of all things arising and which shall arise within the said county, town and precincts, as fully and entirely

reddendo, quàm in quâcunque curiâ infra præcinctus villæ prædictæ et suburbia ejusdem adnullato seu adnullando; necnon omnia alia proficua, thesaurum inventum, emolumenta (quocunque modo evenierint) tam de forestis, parcis, boscis, warrenis, stagnis, vacariis, marischis, moris, mineris, quàm quibuscunque aliis rebus, quæ infra villam prædictam, comitatum ejusdem, terras, tenementa, loca et feoda prædicta (ut prædictum est) accidere poterunt quovis modo; aliquâ prærogativâ, privilegio, seu franchisiis non obstantibus (quibuscunque escaetis terrarum et tenementorum futuris temporibus evenientibus omnino exceptis): et quòd iidem nunc major et communitas et successores sui, ac prædicti burgenses, hæredes et successores sui in perpetuum habeant à dicto festo Sti' Michaelis ultimo præterito privilegia, libertates, et emolumenta seu proficua, jura et commoditates prædicta infra præcinctus dictæ villæ Bristoll', et omnia quæcunque emergenda seu eis pertinentia de omnibus hominibus residentibus et non residentibus, integrè tenentibus sive non integrè tenentibus de omnibus rebus infra dictum comitatum, villam et præcinctus emergentibus et emergendis, adeò plenè et integrè sicut ea nos habuerimus, si villam prædictam in

(15) *Escheats of lands and tenements.* J Escheat is when lands or tenements or other real property (being without a lawful possessor on account of the treason, felony, &c. of the last possessor, or for defect of heirs) escheat, i' e' revert or lapse to the king or the lord, as being the original grantor.—

Omnes eschaetæ civitatum mero jure pertinent domino regi, de quibuscunque feodis tentæ sint. Fitzherb' Eschaet' 12. The king hath escheats of tenements in cities and boroughs, which are holden of him in fee-farm. Fitzherb' N' B' eschaet.

as we should have had them, if we had kept them in our own hand; **Hielding** therefrom to us and our heirs annually at our exchequer from the aforesaid feast of St. Michael last past £102, 15s, 6d, at the feast of Easter and of St. Michael the archangel by equal portions; and to the abbot of Tewkesbury and his successors for the tithes of the town aforesaid £14, 10s; <sup>Rents payable to the crown and to others.</sup> to the prior of St. James of Bristol and to his successors out of the annual rent of the mill 60 shill'; to the constable of the castle of Bristol and to his officers for the time being, viz' to the porter and the watchman of the said castle, and to the forester of Kingswood £39, 14s, 6d, to be paid annually at the two aforesaid terms of the year by equal portions for all services, exactions, burdens and demands: [strictly commanding all persons, that they do not counteract the premises in any respect] because express mention be not made in these presents of the true yearly value or any other value, or of the accuracy of the premises or any one of them, or of other gifts and grants heretofore made to the aforesaid mayor and commonalty or to their predecessors by us or any of our progenitors or predecessors; or any statute, act, ordinance, usage, custom or provision

manu nostra retinuissemus: **Reddendo** inde annuatim nobis et hæredibus nostris ad scaccarium nostrum á prædicto festo Sti' Michaelis ultimo præterito centum et duas libras, quindecim solidos et sex denarios ad festum paschæ et Sti' Michaelis archangeli per æquales portiones; et abbati de Tewksbury et successoribus suis pro decimis villæ prædictæ quatuordecim libras et decem solidos; priori Sti' Jacobi Bristoll' et successoribus suis de annuo reditu molendini villæ prædictæ sexaginta solidos; constabulario castri Bristoll' et ministris suis pro tempore existentibus, viz. janitori et vigilatori dicti castri et forestario de Kingswoode triginta et novem libras, quatuordecim solidos et sex denarios, solvendos annuatim ad prædictos duos anni terminos per æquales portiones pro omnibus servitiis, exactionibus, oneribus et demandis; <sup>16</sup> eo quod expressa mentio de vero valore annuo aut quovis alio valore seu certitudine præmissorum seu eorum alicujus aut de aliis donationibus et concessionibus præfatis, nunc majori et communitati aut predecessoribus suis per nos vel aliquem progenitorum vel predecessorum nostrorum ante hæc tempora factis in præsentibus minimè facta existit; aut aliquo statuto, actu, ordinatione, usu, consuetudine vel provisione in con-

(16) *Eò quòd*] signifies because; there must therefore be an ellipsis, which may be supplied from the preceding charter in this or the like manner: *dantes omnibus in mandato, quòd præmissis pareant; ea in aliquo non contravenientes, eò quòd*

*expressa mentio, &c.* The frequency of the expression probably gave occasion to the copyists to omit the first part of the sentence.

made, ordained, used or provided to the contrary, or any thing, cause or matter whatsoever notwithstanding. **In witness** whereof we have caused these our letters to be made patent. Witness myself at Westminster the 12th day of February in the first year of our reign.

trarium facto, ordinato, usitato vel proviso, aut aliquâ re, causâ vel materiâ quâcunque non obstante. **In cuius** rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Westmon' duodecimo die Februarii, anno regni nostri primo.

## XXIII.

### CHARTER OF CONFIRMATION, 5 FEB', 3 HEN' VII.

A' D' 148 $\frac{1}{2}$ .

**Henry** by the grace of God king of England and France and lord of Ireland to all to whom these present letters shall come sendeth health. **We have** inspected the letters patent of the lord Edward the fourth late king of England our progenitor made in these words: Edward by the grace of God king, &c. [*here follows the Charter 14 Dec' 1 Edw' 4, q' v'*] **We have** also inspected other letters patent of the said lord Edward the fourth late king of England made in these words: Edward by the grace of God king, &c. [*here follows the Charter 22 Oct', 1 Edw' 4, q' v'*] **We have** also inspected other letters patent of the said Edward the fourth late king of England made in these words: Edward the grace of God king, &c. [*here follows the charter 12 Feb' 4, q' vide.*] **But we** holding the aforesaid charters and letters and all and singular the things contained in them to be good and proper do for us and our heirs, as far as lies in our power,

### XXIII. *Carta Confirmationis, 5 Feb', 3 Hen' 7, i' e' 148 $\frac{1}{2}$ .*

**Henricus** Dei gratiâ rex Angliæ et Franciæ et dominus Hiberniæ omnibus, ad quos præsentis literæ pervenerint, salutem. **Insuperimus** literas patentes domini Edwardi, nuper regis Angliæ, quarti, progenitoris nostri, factas in hæc verba: Edwardus Dei gratiâ rex, &c. **Insuperimus** etiam alias literas patentes præfati domini Edwardi, nuper regis Angliæ, quarti, factas in hæc verba: Edwardus Dei gratiâ rex, &c. **Insuperimus** etiam alias literas patentes præfati Edwardi, nuper regis Angliæ, quarti, factas in hæc verba: Edwardus, Dei gratiâ rex, &c. **Post autem** cartas et literas prædictas, ac omnia et singula in eisdem contenta, rata habentes et grata, ea pro

122 **Carta Confirmationis, 5 Feb', 3 Hen' 7, i' e' 1481.**

accept and approve of them, and ratify and confirm them to our beloved the now mayor and burgesses of the same town of Bristol and to their heirs and successors, as the said charters and letters reasonably testify. **In** witness whereof we have caused these our letters to be made patent. Witness myself at Westminster on the 5th day of Feb', in the 3d year of our reign.

nobis et hæredibus nostris, quantum in nobis est, acceptamus et approbamus, ac dilectis nobis nunc majori et burgensibus ejusdem villæ Bristoll' ac hæredibus et successoribus suis ratificamus et confirmamus, prout cartæ et literæ prædictæ rationabiliter testantur. **In** cujus rei testimonium has literas nostras fieri fecimus patentes. Teste ꝛeipso apud Westmonast' quinto die Februarii anno regni nostri tertio.

## XXIV.

### CHARTER OF HENRY VII. DATED 17 DEC' 15 HEN' 7, A' D' 1499.

**H**enry by the grace of God king of England and France and lord of Ireland to all and singular his archbishops, bishops, abbots, priors, dukes, earls, barons, justices, sheriffs, mayors, provosts, officers and all his bailiffs and faithful men [sends] health. **K**now ye that on account of the singular love and regard which we bear and have towards the now mayor and commonalty of our town of Bristol, and for the preservation of the peace and safe government, and for encreasing the good of the commonwealth of that town and commonalty, of our special favour and out of our certain knowledge and mere motion we have granted and we do by these presents grant for us, our heirs and

#### XXIV. *Carta 17 Dec', 15 Hen' 7, i' e' 1499.*

**H**enricus Dei gratiâ rex Angliæ et Franciæ et dominus Hiberniæ, universis et singulis archiepiscopis, episcopis, abbatibus, prioribus, ducibus, comitibus, baronibus, justiciariis, vicecomitibus, majoribus, præpositis, ministris, et omnibus ballivis et fidelibus suis salutem. **S**ciatis, quòd nos ob singularem affectionem et dilectionem, quas penes nunc majorem et communitatem villæ nostræ Bristoll' gerimus et habemus, ac pro conservatione pacis nostræ ac salvo regimine, et pro bono reipublicæ villæ et communitatis illius augendo, de gratiâ nostrâ speciali ac ex certâ scientiâ et mero motu nostris, concessimus ac per præsentès concedimus pro nobis, hæredibus et successoribus nostris, quantum in nobis est, præfatis nunc majori et com-

(1) *Have granted.*] The principal part of this charter is copied from Edw' the Third's charter of 1373, and is repeated twice in queen Elizabeth's; it would be useful in reading one to keep the other three in sight; since the errors in one may frequently be corrected by the others.

successors, as far as is in our power, to the now mayor and commonalty aforesaid of the same town, to their heirs and successors. **that** hereafter there shall be in the said town of Bristol from time to time for ever six aldermen to be nominated and chosen, created and made in manner and form following; viz.

Six aldermen to be chosen.

The Recorder to be one of them.

The other five to be chosen by the Common-council.

The recorder shall make oath for due execution of his office.

that the recorder of the said town of Bristol, who is now recorder of that town, and every other recorder of that town for the time being in all future times and for ever from time to time shall be one of the said six aldermen; and that the five remaining aldermen of the same six aldermen shall be elected and nominated by the mayor and common-council of that town for the time being at their pleasure within one year following after the date of these presents; which now recorder so nominated for alderman, and every recorder of that town hereafter to be chosen or made from time to time, at the time of his admission into the office of recorder of that town before the mayor of the same town shall give his corporal oath, that as long as he shall have and exercise the office of recorder of the same town, being in the same, he will well and faithfully do and execute and exercise all and every thing which shall belong to the office of alderman of that town to be done and exercised; and that as well the five aldermen aforesaid of the same town to be first and next chosen and nominated,

munitati ejusdem villæ, hæredibus et successoribus suis, **quod** de cætero sint in dictâ villâ Bristoll' de tempore in tempus in perpetuum sex aldermanni modo et formâ sequente nominandi et eligendi, creandi et perficiendi, viz' quòd recordator prædictæ villæ Bristoll', qui nunc est recordator villæ illius, ac quilibet alius recordator villæ illius pro tempore existens perpetuis futuris temporibus ac in perpetuum de tempore in tempus crit unus dictorum sex aldermannorum; et quod residui quinque aldermanni eorundem sex aldermannorum per majorem et communconcilium villæ illius pro tempore existentes ad eorum libitum infra unum annum à datâ præsentium sequentem eligantur et nominentur; qui quidem nunc recordator in aldermannum sic nominatus, et quilibet recordator villæ illius de cætero de tempore in tempus eligendus sive faciendus, tempore admissionis suæ in officium recordatoris villæ illius coram majore ejusdem villæ pro tempore existente sacramentum præstabit corporale, quod ipse quamdiu officium recordatoris ejusdem villæ habuerit et exercuerit ibidem existens omnia et singula, quæ ad officium aldermanni villæ illius pertinebunt facienda et exercenda, benè et fideliter faciet et exequetur et exercebit; et tam prædicti quinque aldermanni ejusdem villæ primò ei proximò eligendi et nominandi, quàm



as every other alderman of the same town to be chosen or nominated hereafter, whenever from henceforth they shall be elected, made and created, at the time of such creation, nomination, election and making into the office of alderman of that town, shall give and each one of them shall give their corporal oaths before the mayor and recorder of the said town for the time being concerning severally doing, exercising and executing the office of alderman of that town well and faithfully, as long as they shall continue in the office of alderman of the same town, and shall be aldermen of that town: and that as well the same five aldermen of that town to be chosen first from this time and every one of them, as every other alderman of the same town hereafter to be chosen or nominated from time to time, after they shall have been so elected, made and sworn, shall have and every one of them shall have within the said town, the liberties and precincts of the same, as long as he shall have and exercise the office of one of the aldermen of the said town of Bristol, like power and jurisdiction in all things and over all things, as the aldermen or any one of the aldermen of our city of London have, exercise and execute within the same city. And we will and grant by these presents for us and our successors to the said now mayor and commonalty of the said town of Bristol, their heirs and successors, that the mayor and

The aldermen shall do the same.

Aldermen shall have the same power as the aldermen of London.

quilibet alius aldermannus ejusdem villæ in posterum eligendus sive nominandus, cum ex nunc electi, perfecti et creati fuerint, sacramenta sua corporalia de officio aldermanni villæ illius bene et fideliter separatim faciendo, exercendo et exequendo, quamdiu in officio aldermanni ejusdem villæ steterint, ac aldermanni villæ illius extiterint, coram majore et recordatore villæ prædictæ pro tempore existentibus in hujusmodi creatione, nominatione, electione et perfectione in officio aldermanni villæ illius præstabunt, et quilibet eorum præstabit: quòdque tam iidem quinque aldermanni villæ illius ex nunc primò eligendi et eorum quilibet, quàm quilibet alius aldermannus ejusdem villæ in posterum de tempore in tempus eligendus sive nominandus, postquam sic electi, perfecti et jurati fuerint, habeant et quilibet eorum habeat infra villam prædictam, libertates et præcinctus ejusdem, quamdiu officium unius aldermannorum dictæ villæ Bristoll' habuerit et exercuerit, consimilem potestatem et jurisdictionem in omnibus et per omnia, quales aldermanni sive aliquis aldermannorum civitatis nostræ London' infra eandem civitatem habent, exercent et exequuntur. Et volumus et concedimus per præsentis pro nobis et successoribus nostris præfatis nunc majori et communitati dictæ villæ Bristoll', hæredibus et successoribus suis, quòd major

Mayor and al-  
dermen may  
remove any of  
the five alder-  
men,  
And choose  
others.

aldermen of the said town of Bristol for the time being, or the greater part of them, shall be empowered from time to time at all future times to remove and depose at their discretion any one or more of the said five aldermen of that town for the time being, as often as and whenever it shall please them, and to elect anew, create and make for alderman or aldermen of the same town another or others out of the honest burgesses of the same town in the place of him or them so removed; who being elected and nominated for alderman or aldermen of that town by the mayor and aldermen of that town for the time being or by the greater part of them shall give a like oath before the mayor and recorder of that town for the time being, in manner and form as the five aldermen aforesaid (as is before mentioned) to be elected first from this time shall make and give [their oath]. And that whenever and as often as any of the aforesaid aldermen from time to time to be chosen or nominated shall die or shall retire from such his office or from any cause whatever shall be removed from the office of alderman of that town, from that time and so often it shall be allowable for the mayor and the other aldermen of the said town for the time being then surviving and remaining by themselves or by the greater part of them to choose, make and create, as often

et aldermanni dictæ villæ Bristoll' pro tempore existentes, sive eorum major pars, possit vel possint de tempore in tempus perpetuis futuris temporibus per eorum discretionem amovere et deponere aliquem vel aliquos de dictis quinque aldermannis villæ illius pro tempore existentibus, quoties et quandocumque eis placuerit, et alium vel alios de probis burgensibus ejusdem villæ loco ipsius sic amoti vel ipsorum amotorum in aldermannum vel aldermannos ejusdem villæ de novo eligere, creare et perficere, qui in aldermannum vel aldermannos villæ illius per majorem et aldermannos villæ illius pro tempore existentes vel per eorum majorem partem electi et nominati consimile sacramentum coram majore et recordatore villæ illius pro tempore existentibus præstabunt, modo et formâ prout prædicti quinque aldermanni (ut prædictum est) primo ex nunc eligendi facient et præstabunt. Et quòd quandocumque et quotiescunque aliquis aldermannorum prædictorum de tempore in tempus eligendorum et nominandorum obierit, seu ab hujusmodi officio suo recesserit, vel ex quâcunque causâ ab officio aldermanni villæ illius amotus fuerit, quòd ex tunc et toties benè licebit majori et aliis aldermannis villæ prædictæ pro tempore existentibus tunc superviventibus-et remanentibus per ipsos seu majorem partem eorum alium vel alios de prohibitoribus et

as there shall be occasion and the case shall require, another or Aldermen to be elected from time to time. others out of the more honest and prudent burgesses of the same town for alderman or aldermen of that town in the place of him or them so dying, retiring or removed; who being so elected and made, as is premised, shall give a like oath in the same manner and form as the other said aldermen to be elected first from this time shall make and give. And that all and each of the aldermen of that town hereafter to be chosen, nominated or made at all future times in manner and form aforesaid, after they shall be elected, made and sworn into the office of alderman of the same town, shall have and every one of them shall have in the town Aldermen shall have the same authority as aldermen of London. aforesaid and within the precincts and liberties of the same like authority and power, as long as they shall continue in the office of alderman of that town or shall have and exercise the office of alderman of that town, as the aldermen of our city of London have, exercise and execute within the same city. **And** further we grant by these presents for ourselves, our heirs and successors to the same aforesaid mayor and commonalty and their successors, that hereafter the mayor and recorder of the said town, who now are and for the time shall be, and the said five aldermen to be chosen (as is afore said) from time to time and their successors and any of them, when (as is premised)

circumspectis burgensibus ejusdem villæ loco ipsius sic decedentis, recedentis vel amoti, vel ipsorum sic decedentium, recedentium, vel amotorum in aldermannum vel aldermannos villæ illius eligere, perficere et creare, quoties opus fuerit et casus exegerit; qui quidem sic, ut præmittitur, electi et perfecti consimile sacramentum præstabunt eisdem modo et formâ prout alii prædicti aldermanni ex nunc primò eligendi facient et præstabunt. Quòdque omnes et singuli aldermanni villæ illius de cetero futuris temporibus perpetuis modo et formâ prædictis eligendi, nominandi sive perficiendi, postquam in officium aldermanni ejusdem villæ electi, perfecti et jurati fuerint, habeant et quilibet eorum habeat in villâ prædictâ ac infra præcinctus et libertates ejusdem, consimilem auctoritatem et potestatem, quamdiu in officio aldermanni villæ illius steterint, aut officium aldermanni villæ illius habuerint et exercuerint, qualem aldermanni civitatis nostræ London' infra eandem civitatem habent, exercent et exequuntur. **Et** ulterius concedimus pro nobis, hæredibus et successoribus nostris prædictis eisdem majori et communitati et successoribus suis per præsentis, quòd de cætero major et recordator villæ prædictæ, qui nunc sunt et qui pro tempore erunt, ac prædicti quinque aldermanni de tempore in tempus, ut prædictum est, eligendi,

Mayor and  
aldermen shall  
be justices of  
the peace.

they shall be elected, made and created, as long as they shall continue and be aldermen of that town, shall be jointly and separately <sup>2</sup>keepers and justices of the peace of us, our heirs and successors; and justices of us, our heirs and successors for keeping the peace of us, our heirs and successors within our said town of Bristol, the liberties and county of the same town and precincts of the same, as well by land as by water: and justices of us, our heirs and successors for keeping and causing to be kept all ordinances and statutes made at <sup>3</sup>Winchester, Northampton, and Westminster for the keeping of our peace; and also for [keeping and causing to be kept] the statutes and ordinances [made] there and elsewhere concerning \_\_\_\_\_, workmen, artificers, serving-men, inn-keepers, weights, measures, sellers of victuals, mendicants, vagabonds and other mendicants who call themselves *travelling men*; and for [keeping and causing to be kept] the

et eorum successores et eorum quilibet, cum (ut præmittitur) electi, perfecti et creati fuerint, quamdiu aldermanni villæ illius steterint et extiterint, sint conjunctim et divisim custodes ac justiciarii pacis nostræ, hæredum et successorum nostrorum: ac justiciarii nostri, hæredum et successorum nostrorum ad pacem nostram, hæredum et successorum nostrorum infra prædictam villam nostram Bristoll', libertates, comitatum ejusdem villæ et præinctus ejusdem tam per terram quam per aquam conservandam: ac justiciarii nostri hæredum et successorum nostrorum ad omnia ordinationes et statuta apud Winton', Northampton', et Westmonast' pro conservatione pacis nostræ; nec non ad statuta et ordinationes ibidem et alibi de [<sup>4</sup>servitoribus], operariis, artificibus, servitoribus, hostilariis, ponderibus, mensuris, venditoribus victualium, mendicantibus, vagabundis et aliis hominibus mendicantibus, qui se nominant *travelling men*; ac ad statuta et ordinationes apud Westmon'

(2) *Justices of the peace, and our justices, &c &c*] The Mayor and Aldermen are hereby made 1. Justices of the peace. 2. Justices for keeping the peace in Bristol. 3. Justices for executing in Bristol several particular statutes here mentioned; and the statutes in general made for keeping the peace. The difference between the first and the second clause is not apparent.

These commissions for the office of Aldermen are probably the same as those which were then in use for other justices of the peace, and are the foundation of the commissions now used. Those who are not professionally acquainted with the subject may derive some information from Burn's Justice, Art' Justices; the first part of which article may serve as a continued commentary on this part of the present charter. It appears, that these several commissions for executing the

several statutes of the peace were consolidated in 1590, into one form.

(3) *Winchester, Northampton, &c.*] The statutes here intended are, 1 Westm' 3 Edw' 1.—2 Westm' 13 Edw' 1, st' 1.—Winton' 13 Edw' 1, st' 2.—Northampt' 2 Edw' 3. These statutes chiefly relate to objects of Crown law.

(4) *Servitoribus.*] So it is in my copy of the Bodl' MS. but it is certainly an error, because the same word occurs in the next line. The old translation has *hunters*; the Latin copy therefore had *venatoribus*, unless the translator took the word from the corresponding passage in queen Elizabeth's charter. See the note on that passage, where the probable reading is proposed.

statutes and ordinances [made] at Westminster in the first and second years of Henry the fourth late king of England deceased, our predecessor, against giving <sup>5</sup> livery of badges of companies to knights, esquires or valets, and other liveries of cloths, and against using the same liveries in any way; and also for [keeping and causing to be kept] a certain statute against the <sup>6</sup> Lollards in the parliament of Henry the fifth late king of England deceased lately held at Leicester; and for [keeping and causing to be kept] a certain other statute likewise made in the parliament of the same king held at Westminster concerning counterfeiting, clipping, washing and other falsifying of the money of our land; and for [keeping and causing to be kept] all other statutes and ordinances made and hereafter to be made for the good of the peace and quiet rule and governance of our people in all their articles according to the whole force, form and effect of the same, in the said county of the town of Bristol and within the same town, the liberties and precincts of the same, as well by land as by water; and for chastising and punishing and causing to be chastised and punished, all those, whom they shall find offend-

annis regni Henrici quarti nuper regis Angliæ defuncti prædecessoris nostri primo et secundo deliberato signorum societatum militibus, armigeris seu valettis ac aliis libertatis paunorum minimè dandis nec eisdem liberatis aliquàlter utendis; necnon ad quoddam statutum contra Lollardos in parlamento Henrici quinti nuper regis Angliæ defuncti apud Leicestr' nuper tento editam; ac ad quoddam aliud statutum in parlamento ejusdem regis apud Westmon' de contrafacturâ, tonsurâ, loturâ et aliis falsitatibus monetæ terræ nostræ tento similiter editum; ac ad omnia alia statuta et ordinationes pro bono pacis et quieto regimine et gubernatione populi nostri edita ac in posterum edenda in omnibus suis articulis juxta omnem vim, formam et effectum eorundem, in dicto comitatu villæ Bristol, ac infra eandem villam, libertates et præcinctus ejusdem tam per terram quàm per aquam custodienda et custodiri facienda; et ad omnes illos, quos contra formam ordinationum et statutorum prædictorum aut eorum alicujus delinquentes invenerint,

(5) *Livery of badges.*] Stat' 1 Hen' 4, c' 7' orders that no lord of any estate or condition whatever shall use or give any *livree de signe de compagnie* to any knight, esquire, or valet, within the kingdom: and 2 Hen' 4 c' 21, empowers justices to hear and determine offences against it. It seems to have been an inveterate habit in this country, if we may judge from many statutes, which during a long time were made

against it. The story of k' Henry the Seventh's visit to his particular friend the earl of Oxford, which is related in all the histories of England, is an explanation of these statutes.

(6) *The Lollards.*] They were the followers of Wickliffe, the forerunner of the reformation. This parliament was held at Leicester in 1414.

ing against the form of the ordinances and statutes aforesaid or of any one of them, as shall be proper to be done according to the form of the same ordinances and statutes; and for causing to come before them by due form of law all those who have threatened any of our people within the county, town and liberties aforesaid concerning their bodies or concerning the setting fire to their houses, for the purpose of their finding sufficient security for the peace and for their good behaviour towards us our heirs and successors for the time being and towards all our people; and if they refuse to find such security, then for causing them to be kept safely in our prisons of the county and town aforesaid, until they shall find such security. **We also** will and by these presents grant to the said now mayor and commonalty of our town of Bristol, their heirs and successors, that the said mayor, recorder and other five aldermen of the same town for the time being, six, five, four or three of them, of whom the mayor or recorder of the same town for the time being shall by all means be one, from time to time at all future times may and shall be justices of us, our heirs and successors for enquiring by the oath of good and lawful men of that county and town as well within liberties as without, by whom the truth of the matter

They shall be justices for enquiring into treasons, felonies, &c.

castigandos et puniendos, castigari et puniri faciendos, prout secundum formam ordinationum et statutorum eorundem fuerit faciendum; et ad omnes illos qui aliquibus de populo nostro infra comitatum, villam, et libertates prædicta minas fecerint de corporibus suis vel de incendio domorum suarum, ad sufficientem securitatem de pace et bono gestu suo erga nos, hæredes et successores nostros pro tempore existentes et cunctum populum nostrum inveniendam, coram eis per debitam legis formam venire faciendos; et si hujusmodi securitatem invenire recusant, tum ad eos in prisonis nostris comitatus et villæ prædictæ, quousque hujusmodi securitatem invenerint, salvo custodiri faciendos. **Volumus** etiam et per præsentis concedimus præfatis nunc majori et communitati villæ nostræ Bristoll', hæredibus et successoribus suis, quòd dicti major, recordator, et alii quinque aldermanni ejusdem villæ pro tempore existentes, sex, quinque, quatuor aut tres eorum, quorum major aut recordator ejusdem villæ pro tempore existens, omnino erit unus, de tempore in tempus perpetuis futuris temporibus sint et erunt justiciarii nostri, hæredum et successorum nostrorum ad inquirendum per sacramentum proborum et legalium hominum de comitatu et villâ illâ tam infra libertates quàm extra, per quos rei veritas melius sciri poterit, de omnibus prodicionibus, murdris, raptibus mulierum, et aliis feloniis quibus-

may be better known, concerning all treasons, murders, rapes of women and other felonies whatsoever; and concerning all trespasses, riots, routs, illicit conventicles, <sup>7</sup>embraceries, maintenances, <sup>8</sup>ambidextries, extortions, confederacies, conspiracies, trespasses, <sup>9</sup>regratings and forestallings within the county, town, precincts and liberties aforesaid by whomsoever and howsoever done or committed and which happen hereafter to be done or committed; and also concerning those who have lien in wait or shall hereafter presume to lie in wait to maim or kill our people; and also concerning those who in the county, town and liberties aforesaid have used caps and other liveries of a single suit by confederacy and maintenance contrary to the effect and form of certain ordinances or statutes heretofore made thereupon; and concerning the using of other caps and liveries of this sort hereafter; and also concerning all and every person who within the county, town, precincts and liberties aforesaid have in any respect offended against the form of the ordinances and statutes aforesaid or any one of them, or shall hereafter presume to attempt any thing contrary thereto: and also for inquiring more

cunque, ac de quibuscunque transgressionibus, ryottis, routis, conventiculis illicitis, imbraceriis, manutionibus, ambidextris, extortionibus, confederationibus, conspirationibus, transgressionibus, regraturis et forestallis infra comitatum, villam, præinctus et libertates prædictos per quoscunque et qualitercunque factis sive perpetratis et [*supple* ex] nunc fieri sive perpetrari contingentibus; ac etiam de iis qui insidias [*l'* in insidiis] ad gentem nostram mahemandam vel interficiendam jacuerint seu ex nunc jacere præsumserint; ac etiam de eis qui capitii et aliis liberatis de unicâ sectâ per confederationem et per manutentionem contra effectum ac formam aliquarum ordinationum sive statutorum inde ante hæc tempora factorum in comitatu, villâ, et libertatibus prædictis usi fuerint et aliis hujusmodi capitii et liberatis in posterum utendis; necnon de omnibus et singulis iis, qui infra comitatum, villam, præinctus et libertates prædictas contra formam ordinationum et statutorum prædictorum seu eorum alicujus in aliquo deliquerint, aut ex nunc aliquid in contrarium inde attentare præsumserint: necnon ad inquirendum de quibus-

(7) *Embracery*] is the attempt to bribe or otherwise to influence a jury in favour of one party.

(8) *Ambidextrys*] is the obtaining money from both parties under pretence of furthering their suit.

(9) *Regratings and forestallings.*] *Regrating* is the buying ware or victuals, and selling them again in the same market. *Forestalling* is the buying them before they arrive at the market for the purpose of selling them again; by both which practices prices are raised.

And for in-  
quiring into  
the conduct of  
sheriffs, bai-  
liffs, &c.

fully into the truth concerning all sheriffs, bailiffs, constables and keepers of the gaol, who have behaved themselves unduly within the county, town, precincts and liberties aforesaid in the execution of their offices towards artificers, serving-men, labourers, victuallers, innkeepers, mendicants and vagabonds and all others aforesaid according to the form of the ordinances and statutes aforesaid, and shall henceforth presume to behave themselves unduly, or who have been <sup>10</sup>lukewarm, remiss or negligent and henceforth shall happen to be lukewarm, remiss or negligent; and concerning all and singular articles and circumstances anywise relating to all and singular the premises, and concerning other things by whomsoever and howsoever done or committed against the form of the ordinances and statutes aforesaid, and which henceforth shall happen to be done or attempted in that place:

And for pro-  
ceeding on in-  
dictments.

and moreover for the purpose of inspecting all indictments whatever, as well those taken and not yet terminated before the same the justices of us, our heirs and successors or any of them, or before any other late keepers of the peace and justices of us or of the lords Edward the fourth, Edward the fifth late kings of England, or Richard the third late king of England, appointed for the purpose of hearing and determining such trespasses and misdemeanours in

cunque vicecomitibus, ballivis, constabulariis ac custodibus goalæ, qui infra comitatum, villam, præinctus et libertates prædictas in executione officiorum suorum erga artifices, servitores, laboratores, victuallarios, hostellarios, mendicantes et vagabundos, et alios prædictos quoscunque juxtà formam ordinationum et statutorum prædictorum indebitè se habuerint, et ex nunc indebitè se habere præsumserint, aut tepidi, remissi vel negligentes fore contigerint; et de omnibus et singulis articulis et circumstantiis præmissa omnia et singula qualitercumque concernentibus, ac aliis contra formam ordinationum et statutorum prædictorum per quoscunque et qualitercumque factis sive perpetratis, et quæ ex nunc ibidem fieri vel attentari contigerint, plenius veritatem: necnon ad omnia indictamenta quæcunque, tam coram eisdem justiciariis nostris, hæredum et successorum nostrorum seu eorum aliquibus, aut aliis nuper custodibus pacis et justiciariis nostris aut dominorum Edwardi quarti, Edwardi quinti nuper regum Angliæ, aut Ricardi nuper regis Angliæ tertii, ad hujusmodi transgressiones et malefacta in comitatu, villà, libertatibus et præ-

(10) *Lukewarm.*] The former translations have *fearful*: the translators' Latin copy therefore had *trepidus*.



the county, town, liberties and precincts aforesaid by virtue of divers letters patent of us or of the said lords Edward, Edward and Richard or any of them, made to them or to any other persons in the county, town, liberties and precincts of the same; as those taken or to be taken before the said mayor, recorder and aldermen, six, five, four and three of them, of whom the mayor or recorder of the same town, for the time being, shall be one justice of us, our heirs and successors: and for the purpose of making and continuing process or processes thereupon against all, who for the future shall happen to be indicted concerning the premises or any of the premises before the same justices of us, our heirs and successors, until they shall be taken, given up or outlawed: and moreover for the purpose of hearing and determining according to the law and custom of our kingdom of England and according to the form of the aforesaid ordinances and statutes, in as ample manner and form as any other justices of the peace of us, our heirs and successors and any other justices of us, our heirs and successors any where else in any other county of our kingdom of England are or shall be able to hear and determine, all and singular things which have been done, committed or attempted against the form of the ordinances and

And for determining of fences against the aforesaid statutes.

cinctibus prædictis audiendas et terminandas, assignatis virtute diversarum literarum patentium nostrarum aut dictorum dominorum Edwardi, Edwardi et Ricardi seu eorum alicujus eis aut aliis quibuscunq' personis in comitatu, villà, libertatibus et præcinctibus ejusdem factarum, capta, et nondum terminata, quàm coram prædictis majore, recordatore et aldermannis, sex, quinque, quatuor et tribus eorum, quorum major et [l' aut] recordator ejusdem villæ pro tempore existens erit unus justiciarius noster, hæredum et successorum nostrorum capta vel capienda, inspicienda: ac ad processum inde aut processus versus omnes alios [*lege* ad quos] coram eisdem justiciariis nostris, hæredum et successorum nostrorum de præmissis vel aliquo præmissorum de cætero indictari contigerit, quousq, capiantur, reddantur vel utlagentur, faciendos et continuandos: necnon ad omnia et singula, quæ contra formam ordinationum et statutorum prædictorum seu aliquorum eorundem seu eorum alicujus infra comitatum, villam, libertates, et præcinctus prædictos facta, perpetrata seu attentata fuerint, et quæ ibidem in posterum fieri, perpetrari seu attentari contigerint, tam ad sectam nostram quàm aliorum quorumcunq' coram eisdem justiciariis, pro nobis, hæredibus et successoribus nostris, aut pro seipsis conqueri vel prosequi volentium, audienda et secundum legem ac consuetudinem regni nostri Angliæ ac juxta formam

At the king's  
suit or of any  
other person.

statutes aforesaid or of any of them within the county, town, liberties and precincts aforesaid, and which hereafter shall happen to be done, committed or attempted in the same place, as well at our suit as that of any other persons whatever who are willing to be plaintiffs or to prosecute before the same justices for us, our heirs and successors or for themselves: and also for the purpose of hearing and determining the trespasses and forestallings aforesaid and all other things not declared above to be determinable at our suit only, and all other things which by virtue of any ordinances ought to be discussed and terminated by such keepers of the peace of us, our heirs and successors and by such justices of us, our heirs and successors: and for the purpose of chastising and punishing all persons whatsoever, who offend against the form of the ordinances and statutes aforesaid, by fines, redemptions and amercements and other means according to their offences; as used to be done elsewhere within the kingdom of England before the ordinance was made concerning inflicting corporal punishment on such delinquents for their offences; and for the purpose of doing or exercising, hearing or determining<sup>12</sup>[all other things, which] belong or shall belong [to the office

ordinationum et statutorum prædictorum terminanda, in tam amplis modo et formâ prout aliqui alii justiciarii pacis nostræ, hæredum et successorum nostrorum, ac aliqui alii<sup>11</sup> justiciarii pacis nostræ [*l'* nostri], hæredum et successorum nostrorum alibi in aliquo comitatu regni nostri Angliæ audire et terminare possunt seu poterunt: necnon transgressiones et forestalla prædicta, ac omnia alia superiùs [*dele* ad] terminanda non declarata ad sectam nostram tantùm, ac omnia alia, quæ virtute aliquarum ordinationum per custodes pacis nostræ, hæredum et successorum nostrorum ac justiciarios nostros, hæredum et successorum nostrorum hujusmodi discuti et terminari debent, audienda et terminanda: et ad quoscunque contra formam ordinationum et statutorum prædictorum seu eorum alicujus delinquentes per fines, redemptiones et amerciamenta ac alios modos pro delictis suis castigandos et puniendos; prout ante ordinationem de punitione

(11) *Justiciarii pacis nostræ*, second time.] So it is in the Bodl' copy, and repeated in q' Elizabeth's charter; and so it is in the printed translation in both places. Nevertheless as

this would be merely a repetition of the preceding line, the true reading is certainly *nostrî*, omitting *pacis*; and the MS. translation confirms it.

of justice of our peace,] elsewhere within the kingdom of England. **And that** the same mayor and commonalty, their heirs and successors for ever shall have all and all sort and singular fines, redemptions, issues, forfeitures and ameracements to be made, assessed, forfeited and adjudged before the aforesaid justices and any of them from time to time at all future times: and that it shall be lawful for the same mayor and commonalty and their successors from time to time, as often as there shall be need, to collect and levy by the sheriff or other officer of the same town, who now are or for the time shall be, to the use of the said now mayor and commonalty and their successors, all and singular such issues, forfeitures, fines, redemptions and ameracements adjudged and to be adjudged and to be assessed; and that they shall be empowered to put themselves in seisin and possession of the same, as the sheriffs, officers or ministers of us, our heirs and successors are enabled, would be empowered or would have a right to collect and levy them for us, our heirs and successors for the use of us, our heirs and successors, if they had not been granted to the aforesaid mayor and commonalty and their

Mayor and  
commonalty  
shall have all  
fines.

corporali hujusmodi delinquentibus pro delictis suis exhibendâ factam fieri consuevit :

<sup>12</sup> alibi infra regnum Angliæ pertinent seu pertinebunt facienda aut exercenda, audienda seu terminanda. **Et quod** iidem major et communitas, hæredes et successores sui in perpetuum habeant omnia et omnimoda et singula fines, redemptiones, exitus, forisfacturas et amerciamenta coram præfatis justitiariis et eorum quolibet, de tempore in tempus perpetuis futuris temporibus duraturis, facienda, assidenda, forisfacienda et adjudicanda : et quod bene licebit eisdem majori et communitati et successoribus suis de tempore in tempus, quoties opus fuerit, omnia et singula hujusmodi exitus, forisfacturas, fines, redemptiones, et amerciamenta adjudicata et adjudicanda sive assidenda per vicecomitem aut alium ministrum ejusdem villæ qui nunc sunt aut qui pro tempore erunt ad opus dictorum nunc majoris et communitatis et successorum suorum colligere et levare; ac seipsos in seisinam et possessionem de eisdem ponere possint, prout vicecomites, officarii vel ministri nostri, hæredum et successorum nostrorum ea pro nobis, hæredibus, aut successoribus nostris possunt, potuissent, vel deberent

(12) *Pertinent seu pertinebunt.*] There are no preceding words to which *pertinent*, &c. can be referred; and therefore although queen Elizabeth's charter in two places, and Charles the second's charter of 1684, repeat the same passage,

there seem to be some few words at least omitted, to this effect;—*Angliæ: [et ad omnia alia, quæ ad officium justiciarii pacis nostræ] pertinent seu pertinebunt, facienda, &c.* But the omission is probably much longer.

Without giving account to the exchequer.

No other justices shall interfere.

successors; without rendering or paying thereof any account or any other thing to us, our heirs or successors: and that neither the treasurer of us, our heirs or successors and barons of the exchequer of us, our heirs or successors nor any of them, nor any other justices, officers or ministers of us, our heirs or successors shall for the future make or cause to be made any process or processes against such justices of the peace or any of the aforesaid justices or any of their successors, the heirs or executors of them or any of them for delivering or causing to be delivered to or into our exchequer or elsewhere any of their estreats of any fines, redemption<sup>s</sup>, issues, forfeitures or amercedments or any other things adjudged, forfeited or assessed or in future to be adjudged, forfeited or assessed before the aforesaid justices of us, our heirs or successors; and that any other justices of the peace of us, our heirs or successors, or any other justices of us, our heirs or successors shall not introduce themselves, nor any one of them introduce himself into the town, county, liberties and precincts aforesaid, for the purpose of exercising, doing or executing in those places in any case any ordinances and statutes published or ordained concerning the premi-

ad opus nostrum, hæredum et successorum nostrorum percipere et levare, si ea prædictis majori et communitati et successoribus suis concessa non fuissent; absque aliquo computo aut aliquo alio nobis, hæredibus, seu successoribus nostris inde reddendo seu solvendo: et quòd nec thesaurarius noster hæredum aut successorum nostrorum nec [*lege* et] barones de scaccario nostro, hæredum vel successorum nostrorum, nec barones scaccarii [*supple* nostri], hæredum vel successorum nostrorum, nec eorum aliquis, nec aliqui alii justiciarii, officarii, vel ministri nostri, hæredum vel successorum nostrorum de cætero facient seu fieri facient aliquem processum vel aliquos processus versus hujusmodi justitios pacis aut aliquos seu aliquem justitiorum prædictorum seu aliquem successorum suorum, hæredes vel executores suos vel eorum alicujus pro aliquibus extractibus suis de aliquibus finibus, redemptionibus, exitibus, forisfactoris, seu amerciamentis, aut aliquibus aliis coram prædictis justiciariis nostris, hæredum aut successorum nostrorum adjudicatis, forisfactis sive assessis aut in posterum adjudicandis, forisfaciendis vel assidendis ad aut in scaccarium nostrum, seu alibi liberandis liberarive faciendis; et quòd aliqui alii justiciarii pacis nostræ, hæredum aut successorum nostrorum, aut aliqui alii justiciarii nostri, hæredum aut successorum nostrorum ad aliqua sordinationes et statuta de præmissis vel aliquo præmissorum editas seu ordinatas infra villam, comitatum, libertates et præcinctus prædictos emergentibus sive

ses or any of the premises arising or happening within the same places, or any office relating to or for the same premises or any of them, nor shall they have or exercise any jurisdiction thereupon. **And further** we will and grant by these presents to the aforesaid now mayor and commonalty of the said town of Bristol, their heirs and successors, that for the future there may and shall be in the same town at all future times a chamberlain of that town; which chamberlain and all his successors for the time being from time to time shall be chosen, nominated and made in manner and form following; viz' that the mayor and common-council of that town for the time being at their pleasure, whenever it shall please them, shall choose and nominate in the Guildhall of that town one of the burgesses of the same town for chamberlain of that town; to have and to exercise that office as long as it shall please the same mayor and common-council of that town, and until the same chamberlain shall be removed from that office by the mayor and common-council of the same town, or shall voluntarily retire from that office, or shall be deprived by death: which chamberlain so elected, nominated and made, and his successors and every of them, when they shall be elected, made and created, shall give his corporal oath before the mayor, recorder and aldermen of that town for the time being, that he

A chamberlain  
appointed.

Chamberlain  
shall make  
oath.

contingentibus, aut ad aliquod officium de aut pro eisdem seu eorum aliquibus ibidem exercendum faciendum seu exequendum in aliquo ibidem se non intromittant nec eorum aliquis se intromittat, aut aliquam jurisdictionem inde habeant vel exercent. **Et ulterius** volumus et concedimus per præsentis præfatis nunc majori et communitati dictæ villæ Bristol', hæredibus et successoribus suis, quòd de cætero sit et erit in eadem villâ perpetuis futuris temporibus unus camerarius villæ illius; qui quidem camerarius et quilibet successores sui pro tempore existentes de tempore in tempus modo et formâ sequenti erunt eligendi, nominandi et perficiendi; viz' quòd major et commune-concilium villæ illius pro tempore existentes ad eorum placitum, quodocunque eis placuerit, eligent et nominabunt in Guildhaldâ villæ illius unum de burgensibus ejusdem villæ in camerarium villæ illius; habendum et exercendum officium illud, quamdiu eisdem majori et communi-concilio villæ illius placuerit, ac quousque idem camerarius ab officio illo per majorem et commune-concilium ejusdem villæ amotus fuerit, aut ab officio illo sponte recesserit, vel morte privetur: qui quidem camerarius sic electus, nominatus ac perfectus, ac successores sui ac eorum quilibet, cum electi, perfecti et creati fuerint, coram majore, recordatore et aldermannis villæ

He shall have  
a seal, and of-  
fice, and au-  
thority, the  
same as in  
London.

will well and faithfully do, exercise and execute the office of chamberlain of the same town and all things which are to be done and exercised belonging to that office, as long as he shall have and exercise that office: and that every chamberlain of that town hereafter to be elected and nominated, when he shall be elected, made and sworn in chamberlain of the same town, shall have perpetual succession: and that he and all his successors for ever shall be named and called chamberlains of the town of Bristol; and shall have, and every one of them shall have, a seal to serve for the office of chamberlain of that town and for the business belonging to the office of chamberlain of the same town: and that the aforesaid chamberlain who shall be first from this time chosen and made, and all and singular his successors to be chosen and made from this time for ever, and every one of them when he shall be elected, made and sworn into the office of chamberlain of that town, shall have the same authority and power of doing and exercising, and shall do and execute in the said town of Bristol, the liberties and precincts of the same all and singular the things, of what kind and which the chamberlain of our city of London can do and exercise or has been used to do or exercise within the same city: and that the aforesaid chamberlain who shall be chosen first from this time and his successors who shall be chosen afterwards for ever, in

illius pro tempore existentibus sacramentum præstabit corporale, quod ipse officium camerarii ejusdem villæ ac omnia quæ ad officium illud pertinebunt facienda et exercenda, quam diu officium illud habuerit et exercuerit, bene et fideliter faciet, exercebit et exequetur: et quod quilibet camerarius villæ illius de cætero eligendus et nominandus, cum in camerarium ejusdem villæ electus, perfectus et juratus fuerit, habeat successionem perpetuam: quodque ipse et omnes successores sui in perpetuum camerarii villæ Bristoll' nominentur et vocitentur; habeantque et eorum quilibet habeat sigillum pro officio camerarii villæ illius ac pro negotio officio camerarii ejusdem villæ pertinente deserviturum: quodque præfatus camerarius primò ex nunc eligendus et perficiendus, et omnes et singuli successores sui ex nunc eligendi et perficiendi in perpetuum habeant, et eorum quilibet habeat, cum in officium camerarii villæ illius electus, perfectus et juratus fuerit, consimilem auctoritatem et potestatem faciendi ac exercendi, ac ea omnia et singula facient et exequentur in dictâ villâ Bristoll, libertatibus et præinctis ejusdem, qualia ac quæ camerarius civitatis nostræ London' infra eandem civitatem facere et exercere potest, aut facere seu exercere consuevit: et quod prædictus camerarius primò ex nunc eligendus et succes-

whatever courts, places and pleas they may plead and be impleaded, shall be enabled to plead and be impleaded, to answer and be answered by the name of *the chamberlain of the town of Bristol* as well before us, our heirs and successors, wherever we shall be, and before us, our heirs and successors in the chancery of us, our heirs and successors, and also before the justices of us, our heirs and successors of the common-bench, or before the treasurer and barons of the exchequer of us, our heirs and successors, as before all judges or justices whatever of us, our heirs and successors or any other justices or judges whatever, in all actions, suits, plaints and demands, real, personal and mixed: and that the aforesaid chamberlain and his successors and every of them from time to time shall well and faithfully keep and cause to be kept for the use of the same mayor and commonalty and their successors, during the time when they shall exercise the office of chamberlain of the town aforesaid, all and singular the revenues, proceeds, profits and emoluments whatever, which the same chamberlains, while they have been chamberlains of the said town, may have received or any one of them may have received or collected for the use and profit of the mayor and commonalty of that town; and also all and all sorts of charters, evidences, bonds and muniments, which the same chamberlains

Chamberlain may sue and be sued.

He shall receive the reuts &c.

He shall keep the charters, bonds, &c.

sores sui in posterum eligendi in perpetuum per nomen camerarii villæ Bristol', tam coram nobis, hæredibus et successoribus nostris, ubicunque fuerimus, ac coram nobis, hæredibus et successoribus nostris in cancellariâ nostrâ, hæredum et successorum nostrorum, necnon coram iudiciariis nostris, hæredum et successorum nostrorum de communi-banco, aut coram thesaurario ac baronibus de scaccario nostro, hæredum et successorum nostrorum, quàm coram quibuscunque iudicibus sive iudiciariis nostris, hæredum et successorum nostrorum aut quibuscunque aliis iudiciariis sive iudicibus in quibuscunque curiis, locis, [supple et] placitis placitent et implacitentur, placitare et implacitari, respondere et responderi possint in quibuscunque actionibus, sectis, querelis, et demandis, realibus, personalibus et mixtis: et quod prædictus camerarius et successores sui et eorum quilibet de tempore in tempus omnia et singula reventiones, proventus, proficua et emolumenta quæcunque, quæ iidem camerarii, tempore quo camerarii villæ prædictæ extiterint, ad usum et proficuum majoris et communitatis villæ illius receperint aut eorum aliquis receperit vel perceperit, necnon omnia et omnimoda cartas, evidencias, scripta obligatoria et munimenta, quæ iidem camerarii pro tempore existentes, durante termino quo ipsi camerarii villæ prædictæ extiterint,

He shall pay monies.

He shall give an account annually, and when he shall be removed.

for the time being, during the time when they have been chamberlains of the town aforesaid, may have received, may have had or shall have for the use of the said mayor and commonalty or their successors; and shall apply and expend or pay such proceeds, revenues and profits so received to the use and profit of the same mayor and commonalty and their successors; and shall well and faithfully give and make a good and faithful account of all and singular things so received and had every year within a month next after the feast of St. Luke the evangelist in the Guildhall of the said town before the mayor and aldermen of the same town for the time being, or before two burgesses of the said town to be appointed for this purpose by the mayor of the same town for the time being: and that every chamberlain of the said town for the time being, who shall be removed from the office of chamberlain of the said town, as is aforesaid, or shall retire from his office, shall within one month next after he shall be removed or shall retire from that office give and make a faithful account of all and every thing received and had by him for the use of the said mayor and commonalty and their successors before the mayor and aldermen aforesaid or two burgesses to be appointed as is before mentioned. **We have**

ad usum dictorum majoris et communitatis aut successorum suorum receperint seu receperit, habuerint seu habuerit aut habebunt, ad usum eorundem majoris et communitatis et successorum suorum durante tempore quo ipsi officium camerarii villæ prædictæ exercuerint, benè et fideliter custodient et custodire facient; ac proventus, revenitiones, et proficua hujusmodi sic recepta ad usum et proficuum eorundem majoris et communitatis et successorum suorum applicabunt et expendent seu persolvent; ac de omnibus et singulis sic receptis et habitis bonum et fidelem computum quolibet anno infra unum mensem proximè post festum Sti' Lucæ evangelistæ in Guildhaldâ villæ prædictæ coram majore et aldermannis ejusdem villæ pro tempore existentibus, vel coram duobus burgensibus villæ prædictæ ad hoc per majorem ejusdem villæ pro tempore existentem assignandis benè et fideliter reddent et facient: et quod quilibet camerarius villæ prædictæ pro tempore existens, qui ab officio camerarii villæ prædictæ, ut prædictum est, amotus fuerit, aut ab officio suo recesserit, infra unum mensem proximè postquam ab officio illo amotus fuerit aut recesserit, fidelem computum de omnibus et singulis per ipsum ad usum prædicti majoris et communitatis et successorum suorum receptis et habitis, coram majore et aldermannis prædictis vel duobus burgensibus, ut prædictum est, assignandis reddet



granted moreover and by these presents grant to the said now mayor and commonalty of our said town of Bristol, their heirs and successors, that all and every the bailiffs of that town to be hereafter chosen shall be chosen for ever in the same times, manner and form as they have been used heretofore to be elected, created or made, or any one of them has been used to be elected, created or made: so that if any bailiff or any bailiffs of the said town, after he or they shall have been elected into the office of bailiff of that town, shall die or any of them shall die within a year after his or their election, or from any cause whatever shall be removed from the office of bailiff of that town, then the said mayor and commonalty of the said town of Bristol, their heirs and successors for the time being within eight days next following after such death or removal of any such bailiffs shall choose two other bailiffs, or one other bailiff out of the burgesses of the said town, in the room of him or them so dying or removed, as often as shall be necessary, without having, obtaining or suing for any licence of us, our heirs and successors in this behalf: and that all and every the bailiffs of that town to be chosen hereafter, as is above-mentioned (an oath being first given concerning doing, exercising and executing well and faithfully the

Bailiffs shall be elected as formerly.

They shall be chosen 8 days after the death &c. of the former.

Bailiffs shall make oath.

et faciet. **Concessimus** insuper et per præsentis concedimus præfatis nunc majori et communitati prædictæ villæ nostræ Bristoll', hæredibus et successoribus suis, quòd omnes et singuli ballivi villæ illius in posterum eligendi eligantur in perpetuum eisdem temporibus, modo et formâ, prout ante hæc tempora dudum eligi, creari, seu fieri consueverunt, aut eorum aliquis eligi, creari, seu fieri consuevit; ita quòd si aliqui ballivi aut aliquis ballivus villæ prædictæ, postquam ille [*supple* vel illi] in officium ballivi illius villæ electus fuerit vel electi fuerint, infra annum post eorum vel ejus electionem obierint vel eorum aliquis obierit, vel ex quâcunque causâ ab officio ballivi villæ illius amoti fuerint vel amotus fuerit, ex tunc prædictus major et communitas prædictæ villæ Bristoll', hæredes et successores sui pro tempore existentes infra octo dies post hujusmodi mortem vel amotionem aliquorum hujusmodi ballivorum proximè sequentes eligant duos alios ballivos vel unum alium ballivum de burgensibus villæ prædictæ loco ipsorum sic decedentium vel amotorum vel ipsius sic decedentis vel amoti, toties quoties opus fuerit, absque aliquâ licentiâ nostrâ, hæredum et successorum nostrorum in hæc parte proinde habendâ, impetrandâ vel prosequendâ: quòdque omnes et singuli ballivi villæ illius, ut prædictum est, in posterum eligendi (præstito primitus sacramento de officio ballivi ejusdem villæ, quamdiu ballivi

They shall have the same powers as heretofore.

office of bailiff of the same town) may and shall have, and may exercise and execute all and singular and such and such kind powers and authorities and jurisdiction in all things concerning the office of bailiff of that town, as any bailiffs of that town for the time being have heretofore had or exercised, or have used or been accustomed to have, exercise and execute. **We will**

They shall be sheriffs as well as bailiffs.

also, and by these presents we grant for us, our heirs and successors to the said now mayor and commonalty of our said town of Bristol, their heirs and successors, that all and every the bailiffs of that town to be chosen hereafter for ever, after they shall be elected into the office of bailiffs of the same town, shall be made, created and by virtue of such election immediately after their election into bailiffs of the same town shall be as well bailiffs of that town as sheriffs of the county of the said town of Bristol, as long as they shall be bailiffs of the same town; and they shall do, exercise and execute the office of sheriff of the town of Bristol, and all those things which shall belong to the office of sheriff of the county of that town to be done, exercised and executed <sup>13</sup> in the same town, county, liberties and precincts of the same in as ample manner and form as any other sheriffs can and have a right or shall have a right to do and exercise

villæ illius extiterint aut officium ballivi ejusdem villæ habuerint aut exercuerint, benè et fideliter faciendo, exercendo et exequendo,) omnes et singulas ac tales et hujusmodi potestates et auctoritates ac jurisdictionem, in omnibus officium ballivi villæ illius concernentibus, habeant et habebunt ac exerceant et exequantur, quales aliqui ballivi villæ illius pro tempore existentes ante hæc tempora habuerunt, exercuerunt, aut habere, exercere et exequi usi fuerunt aut consueverunt. **Volumus** etiam et per præsentis concedimus pro nobis, hæredibus et successoribus nostris præfatis nunc majori et communitati prædictæ villæ Bristoll', hæredibus et successoribus suis, quòd omnes et singuli ballivi villæ illius in posterum eligendi in perpetuum, postquam ipsi in officium ballivorum ejusdem villæ electi fuerint, perficiantur, creentur et virtute hujusmodi electionis sint immediatè post eorum electionem in ballivos ejusdem villæ, tam ballivi villæ illius quàm vicecomites comitatûs dictæ villæ Bristoll', quam diu ballivi ejusdem villæ extiterint : ac officium vicecom' villæ Bristoll', ac ea omnia quæ ad officium vicecomitis comitatus villæ illius pertinebunt faciènda, exercènda et exequenda in eisdem villâ, comitatu, libertatibus et præcinctibus ejusdem faciànt, exerceant et exequantur in tam amplis modo et formâ, prout aliqui alii vicecomites alibi

(13) This regulation is still in force : the sheriffs are bailiffs of the town as well as sheriffs of the county.

elsewhere within our kingdom of England: and that all and every the bailiffs of that town hereafter to be chosen, within two days next after they shall be chosen, made, created and sworn into the office of bailiffs of the same town, shall give their corporal oath and every one of them shall give his corporal oath separately in due form before the mayor of that town for the time being, and not before any other person to be appointed for that purpose, in the Guildhall of the same town and no where else, that as long as they shall be sheriffs of the said county of the town of Bristol, they shall do, exercise and execute and every one of them shall do, exercise and execute all and singular the things, which are to be done, exercised and executed belonging to the office of sheriff of the same county of the town of Bristol: and that such sheriffs of the said county of the town of Bristol who for the time shall be and their successors for ever, after they shall be elected into the office of bailiffs of that town and shall have been sworn to do and exercise the office of sheriffs of the same town, shall hold and cause to be holden the county-courts of us and our heirs of the said county of the said town in the same town from month to month on Monday throughout the year, in manner and form as the sheriff of us or any of our progenitors heretofore held and used to hold the said county-courts of the

Sheriff's shall  
take the oath  
of office.

Sheriff's shall  
hold the  
county-courts.

infra regnum nostrum Angliæ facere et exercere possunt et debent seu debebunt: et quod omnes et singuli ballivi villæ illius in posterum eligendi infra duos dies proximè postquam ipsi in officium ballivorum ejusdem villæ electi, perfecti, creati et jurati fuerint, coram majore villæ illius pro tempore existente (et non coram aliquo alio ad hoc assignando) in Guildhaldâ ejusdem villæ et non alibi, in formâ debitâ, sacramentum præstabunt corporale et eorum quilibet sacramentum præstabit corporale separatim, quòd ipsi quam diu vicecomites dicti comitatûs villæ Bristoll' extiterint, ea omnia et singula quæ ad officium vicecom' ejusdem comitatûs villæ Bristoll' pertinebunt facienda, exercenda et exequenda, facient, exercebunt et exequentur, et eorum quilibet faciet, exercebit et exequetur: et quòd hujusmodi vicecomites dicti comitatûs villæ Bristoll', qui pro tempore erunt, et successores sui in perpetuum, postquam in officium ballivorum villæ illius electi fuerint et ad officium vicecomitum ejusdem villæ faciendum et exercendum jurati fuerint, comitatus nostros et hæredum nostrorum dicti comitatûs villæ prædictæ in eadem villâ de mense in mensem per diem Lunæ annuatim teneant et teneri faciant in perpetuum, modo et formâ prout vicecomes noster aut aliquorum progenitorum nostrorum prædictos comitatus dictæ villæ Bristoll',

They shall  
have the same  
power as other  
sheriffs.

No other she-  
riff shall inter-  
fere.

said town of Bristol, while there was only one sheriff in the same county: and that the same sheriffs shall have all and such and the like power, jurisdiction, authority and liberty and all other things whatever, which belong to the office of sheriff in the same county, town, liberties and precincts of the same town, as great and such as any other sheriffs of us, our heirs or successors within the kingdom of England have, shall have and ought to have in their bailiwicks; and they shall do, exercise and execute within the town aforesaid, the county, liberties and precincts of the same all and every the things, which any sheriff of our kingdom of England is or shall be able or ought to do in any wise within his county, as often as and whensoever it shall be necessary and the case shall require, and as it shall seem to them best: and that no sheriff or other officer of us, our heirs or successors of any other county of us, our heirs or successors shall in any wise enter the said county of the town of Bristol, or the precincts of that town or the liberties of the same for the purpose of exercising or doing any office in the same place, nor shall have, nor shall any one of them have any jurisdiction or power in the same or in any of them, nor shall they interfere or any of them interfere in any wise concerning any thing arising

dum in eodem comitatu unus solus vicecomes extitit, ante hæc tempora tenuit et tenere consuevit: et quòd iidem vicecomites habeant omnes et hujusmodi ac tales potestatem, jurisdictionem, auctoritatem et libertatem ac quæcunque alia quæ ad officium vicecomitis spectant in eisdem comitatu, villâ, libertatibus et præcinctibus ejusdem villæ, quanta et qualia aliqui alii vicecomites nostri, hæredum aut successorum nostrorum infra regnum Angliæ in ballivis suis habent, habebunt et habere debent seu debebunt; et ea omnia et singula, quæ aliquis vicecomes regni nostri Angliæ in comitatu suo facere potest, poterit aut debet quoquo modo in comitatu suo, infra villam prædictam, comitatum, libertates et præcinctus ejusdem facient, exercebunt et exequentur toties quoties et quandocunque opus fuerit et casus exegerit, et prout eis melius visum fuerit: et quòd nullus vicecomes aut alius minister noster, hæredum vel successorum nostrorum alicujus alterius comitatus nostri, hæredum vel successorum nostrorum dictum comitatum villæ Bristoll', aut villæ illius præcinctus aut libertates ejusdem ad aliquod officium ibidem exercendum seu faciendum quovis modo ingrediatur, aut aliquam jurisdictionem sive potestatem habeant aut eorum aliquis habeat in eisdem seu eorum aliquo, aut de aliquibus in eisdem comitatu, villâ, libertatibus et præcinctis emergentibus sive contingentibus in aliquo se intromittant aut eorum

or happening in the same county, town, liberties and precincts :  
 and the said sheriffs of the said county of the town of Bristol The sheriffs shall make their profers and render their accounts at the exchequer.  
 for the time being shall make their <sup>14</sup> profers every year at the  
 exchequer of us, our heirs and successors by their attorney to be  
 deputed for that purpose by their letters patent ; and shall cause  
 the same and such their profers to be paid in the same manner and  
 form as the late sheriff of us and our progenitors of the county of  
 the town of Bristol for the time being, when there was only one  
 sheriff in the same place, used to make and pay : and that the  
 same sheriffs of the said county of the town of Bristol and their  
 successors for ever for the time being shall, by their attorney to  
 be deputed and assigned for this purpose by their letters patent,  
 render and make a reasonable and faithful account of the issues  
 of their bailiwick at the exchequer aforesaid before the treasurer  
 and barons of the same exchequer or before the barons of the same  
 exchequer for the time being ; and that all and singular such  
 attornies, who shall be deputed and assigned from time to time  
 by the sheriffs of the said county of the town of Bristol for the  
 time being for the purpose of making and paying the profers and

aliquis se intromittat : et quod dicti vicecomites dicti comitatùs villæ Bristoll' pro tempore existentes per eorum attornatum ad hoc per eorum literas patentes deputandum profera sua quolibet anno ad scaccarium nostrum, hæredum et successorum nostrorum facient ; ac eadem et hujusmodi profra sua solvi facient eisdem modo et formà prout nuper vicecomes noster et progenitorum nostrorum comitatùs villæ Bristoll' pro tempore existens, dum unus solus vicecomes ibidem fuit, facere et solvere consuevit : et quòd iidem vicecomites dicti comitatùs villæ Bristoll' et successores sui in perpetuum pro tempore existentes per attornatum eorum per literas suas patentes ad hoc deputandum et assignandum rationabilem et fidelem computum de exitibus ballivæ suæ ad scaccarium prædictum coram thesaurario et baronibus ejusdem scaccarii aut coram baronibus ejusdem scaccarii pro tempore existentibus reddent et facient ; et quòd omnes et singuli hujusmodi attornati de tempore in tempus per vicecomites dicti comitatùs villæ Bristoll' pro tempore existentes ad prædicta profra facienda, solvenda et computum reddendum, ut prædictum est, deputandi et

(14) *Profers*] are the sum which the sheriff at the end of his year offered and paid into the exchequer, as the probable amount of the king's due. Afterward when his accounts were completed and delivered in, if it appeared that he had overrated the amount, the surplus was repaid to him. From Jacob out of Hale's Sher' Acc' 52.

Their attornies shall be admitted to account.

rendering an account, as is before-mentioned, shall be admitted and every one of them shall be admitted by the same treasurer or barons for the time being, according to the force, form and effect of the same deputations and assignments; and that neither the said sheriffs, who shall be made or created as is before-mentioned, or their successors or any of them shall any wise be compelled to go out of the town of Bristol aforesaid, or to account in their own proper persons in the exchequer of us, our heirs and successors or elsewhere for the issues of their offices or for any things regarding the office of sheriff of the county of the town of Bristol: and that we, our heirs and successors will for ever from time to time cause to be made and directed, and our heirs and successors shall for ever hereafter cause to be made and directed to the said sheriffs of the town of Bristol for the time being all and singular writs, bills, precepts, warrants and mandates of us, our heirs and successors, which from henceforth at all future times shall be to be directed, granted, adjudged and executed <sup>15</sup>thereupon or upon any and all and singular actions, suits, pleas, plaints, demands, inquisitions, presentments, or informations against any person whatsoever for any and all and singular and whatever lands, tenements, rents or

All writs, &c. to be directed to the sheriffs.

assignandi, per eosdem thesaurarium aut barones pro tempore existentes juxta vim, formam et effectum earundem deputationum et assignationum admittantur et eorum quilibet admittatur; et quòd nec prædicti vicecomites, ut prædictum est faciendi, perficiendi seu creandi aut successores sui, seu eorum aliquis vel aliqui ad veniendum extra villam Bristoll' prædictam, aut in propriis personis suis in scaccario nostro, hæredum vel successorum nostrorum aut alibi computandum de exitibus officiorum suorum aut de aliquibus ad officium vicecomitis comitatus villæ Bristoll' spectantibus aliquatenus compellantur: et quòd nos, hæredes et successores nostri omnia et singula brevia, billas, præcepta, WARRANTA, et mandata nostra, hæredum et successorum nostrorum, quæ inde aut super aliquibus ac omnibus et singulis actionibus, sectis, placitis, querelis, demandis, inquisitionibus, præsentationibus, aut informationibus versus aliquem quemcunque pro aliquibus ac omnibus et singulis aut quibascunque terris, tenementis, redditibus seu posses-

(15) *Thereupon*] i' e' upon things regarding the office of sheriff.

possessions being within the town aforesaid, and also for any and all and singular contracts, debts, covenants, detinues or other things, matters and causes whatever arising, falling out or happening within the said town of Bristol, the suburbs, precincts and liberties of the same as well by land as by water, <sup>16</sup>out of any and whatever our courts where any actions, or plaints, demands, inquisitions, presentments or informations happen to be prosecuted or held: and that the sheriffs for the time being shall execute and cause to be executed all and every such writs, precepts, warrants and mandates which shall be directed to them in and throughout all cases according to the exigency, force, form and effect of the same: **And in case** that such sheriffs shall die or one of them shall die, or shall be removed or one of them shall be removed from the office of bailiff and sheriff of that town within the year from such their making or creation, that then the mayor, aldermen and burgesses of the said town and their successors for ever for the time being within ten days next after such decease, removal or deposing shall be empowered

sionibus infra villam prædictam existentibus, necnon pro aliquibus ac omnibus et singulis contractibus, debitis, conventibus, detentionibus, aut aliis rebus, materiis et causis quibuscunque infra prædictam villam Bristoll', suburbia, præcinctus et libertates ejusdem tam per aquam quam per terram emergentibus, accidentibus seu contingentibus extra aliquas ac quascunque curias nostras, ubi aliquæ actiones aut querelæ, demandæ, inquisitiones, presentationes sive informationes prosecui seu haberi contigerint, ex nunc perpetuis futuris temporibus erunt dirigenda, consideranda, [*fortasse* concedenda,] adjudicanda et exequenda, prædictis vicecomitibus villæ Bristoll' pro tempore existentibus in perpetuum de tempore in tempus fieri et dirigi faciemus, hæredesq' et successores nostri in perpetuum de cætero fieri et dirigi facient: quòdque vicecomites pro tempore existentes omnia et singula hujusmodi brevia, præcepta, warranta et mandata eis dirigenda exequantur et exequi faciant in omnibus et per omnia juxta exigentiam, vim, formam et effectum eorundem: **Et in casu** quo hujusmodi vicecomites infra annum a tempore perfectionis sive creationis suæ hujusmodi obierint aut eorum alter obierit, aut ab officio ballivi et vicecomitis villæ illius amoti fuerint vel eorum alter amotus fuerit, quòd tunc major, aldermanni et burgenses villæ prædictæ et successores sui in perpetuum pro tempore existentes infra decem

(16) *Out of our courts*] i' e' actions, &c. or informations *proceeding out of our courts.*

In case of the death of a sheriff, the mayor &c. shall elect another.

and enabled to elect, make and create in manner and form aforesaid out of themselves two other burgesses or one other burges most proper, honest and discreet for bailiffs or for one bailiff of the town of Bristol aforesaid in the place of him or them so dying or removed; who being so elected shall give his or their corporal oath before the mayor, aldermen and burgesses of the town aforesaid for the time being, for well and faithfully doing, exercising and executing, as is aforesaid, as well the office of bailiffs or bailiff of the same town as the office of sheriffs of the county of that town or sheriff of the same county for the remainder of the year for which he shall be so elected and made; which bailiffs so elected, and every one of them after they shall be elected and made, shall be made, created and by virtue of such election shall be, immediately after their election to bailiffs of that town, sheriffs of that town; and after they shall have been sworn to exercise the office of sheriffs of that town, as is aforesaid, shall do and execute and shall be empowered to do, exercise and execute, and shall cause to be done, exercised and executed, as long as they shall be bailiffs of the same town, all and every the things which belong to the office of bailiffs or bailiff of the town aforesaid, and to the office of sheriff of the county

dies proximè post hujusmodi decessum, amotionem vel depositionem duos alios burgenses vel unum alium burgensem de seipsis magis idoneum, honestum et discretum in ballivos seu in unum ballivum villæ Bristoll' prædictæ, loco ipsorum sic decedentium vel amotorum aut ipsius decedentis sive amoti, eligere, perficere, creareque possint et valèant modo et formâ supradictis; qui sic electi et perfecti, vel ipse sic electus et perfectus coram majore, aldermannis et burgensibus villæ prædictæ pro tempore existentibus sacramentum suum præstabunt sive præstabit corporale tam ad officium ballivorum sive unius ballivi ejusdem villæ, quàm officium vicecomitum comitatus illius villæ sive unius vicecomitis ejusdem comitatus pro residuo anni quo sic electus et perfectus fuerit benè et fidelitèr, ut prædictum est, faciendum, exercendum, et exequendum; qui quidem ballivi sic electi, et eorum quilibet, postquam electi et perfecti fuerint, perficiantur, creentur, et virtute electionis hujusmodi sint, immediatè post eorum electionem in ballivos villæ illius, vicecomites ejusdem villæ; ac postquam ad officium vicecomitum villæ illius exercendum (ut prædictum est) jurati fuerint, omnia et singula quæ ad officium ballivorum aut ballivi villæ prædictæ ac ad officium vicecomitum comitatus ejusdem villæ [*supple* pertinent facienda] quamdiu



of the same town. **And we** will and further grant, that the election and making of the said one sheriff of the county of the town of Bristol, which heretofore used to be made, and the name and office of the same one sheriff shall cease and shall not be made, so long as the said bailiffs, who shall be chosen as is before mentioned, shall be sheriffs of the same county of the town of Bristol; but only the said two bailiffs for the time being and their successors for ever shall be two sheriffs of the same town in manner and form granted above in that case: saving always to the said mayor and commonalty, their heirs and successors all and singular their liberties, franchises, and immunities anciently used and approved of (except the liberty of having the said one sheriff only, and the authority and power of the said one sheriff) to be used and had in as ample manner and form, as they would have been had and used or as they would have been able to have and use them, if the present grant of the liberties aforesaid had not been made to them. **We have** also granted and by these presents we grant for us, our heirs and successors to the aforesaid mayor and commonalty, their heirs and successors for ever, that the mayor and commonalty of the said town of Bristol and their successors for the time being shall

A single sheriff shall no longer be elected.

Mayor, &c. shall have cognizance of pleas, &c.

ballivi ejusdem villæ extiterint faciant et exequantur, et facere, exercere, et exequi poterunt et facient. **Et volumus** et insuper concedimus, quòd electio et perfectio dicti unius vicecomitis de comitatu villæ Bristoll', qui ante hæc tempora fieri consueverit, ac nomen et officium ejusdem unius vicecomitis, quamdiu dicti ballivi, ut prædictum est eligendi, erunt vicecomites ejusdem comitatus villæ Bristoll', cessent et non fient; sed tantum dicti duo ballivi pro tempore existentes et successores sui in perpetuum erunt duo vicecomites ejusdem villæ modo et formâ superius inde concessis: salvis semper præfatis majori et communitati, eorum hæredibus et successoribus suis omnibus et singulis libertatibus, franchisesis, et immunitatibus suis antiquitus usitatis et approbatis, (præterquam libertate habendi dictum unum tantum vicecomitem et auctoritate et potestate ejusdem unius vicecomitis,) in tam amplis modo et formâ usitandis et habendis, prout haberentur aut usitarentur, aut habere et uti possent, si præsens concessio libertatum prædictarum eis facta non fuisset. **Concessimus** etiam et per præsentis concedimus pro nobis, hæredibus et successoribus nostris præfatis majori et communitati, hæredibus et successoribus suis in perpetuum, quod major et communitas dictæ villæ Bristoll' et successores sui pro tempore existentes habeant

And cogni-  
zance of tres-  
passes, cove-  
nants, &c.

To be holden  
before the  
mayor and two  
aldermen.

have cognizance of all and whatsoever pleas and plaints as well real and personal as mixed, and <sup>17</sup> recognizance of assizes of *novel disseisin* and of *mort d'auncestre*, certificate of persons arraigned and to be arraigned on account of all lands and tenements, rents and tenures being within the said town of Bristol, the suburbs and precincts of the same; and also [cognizance] of all trespasses, covenants, debts, accounts, contracts and plaints; and also of every thing and demand howsoever arising or happening within the said town of Bristol, the suburbs and precincts of the same, touching all persons whatever; to be holden, had and in form of law to be terminated within the same town at the Guildhall of the same town before the mayor of that town for the time being and his successors, and two aldermen of the said town of Bristol for the time being to be appointed and nominated for that purpose by the mayor of the same town for the time being; and by the same mayor and his successors and those aldermen so nominated to be committed to due execution to be caused to be done thereupon, of whatever state or condition the party plaintiff or demandant, tenant or defendant shall be or is: which cognizances

cognitiones omnium et quorumcunque placitorum et querelarum tam realium et personalium quam mixtorum, ac recognitionem assizarum novæ disseisinæ, mortis antecessoris, certificationem arainatorum et arainandorum de quibuscunque terris et tenementis, redditibus et tenuris infra dictam villam Bristoll', suburbia et præinctus ejusdem existentibus; et etiam quorumcunque transgressionum, conventuum, debitorum, computorum, contractuum et querelarum; necnon cujuslibet rei et demandæ infra dictam villam Bristoll', suburbia et præinctus ejusdem, qualitercunque emergentium seu contingentium, quascunque personas tangentium; coram majore villæ illius pro tempore existente et successoribus suis et duobus aldermannis dictæ villæ Bristoll' pro tempore existentibus ad hoc per majorem ejusdem villæ pro tempore existentem assignandis et nominandis, infra eandem villam ad le Guildhalldam ejusdem villæ tenendas, habendas et in formâ juris terminandas; debitæque executioni per eosdem majorem et successores suos ac aldermannos illos sic nominandos demandandas et inde fieri faciendæ, cujuscunque status seu conditionis pars conquerens, petens, tenens vel defendens fuerit vel existit: quæ quidem cognitiones

(17) Vide Charter 47 Edw' 3, p' 49, 50, and the notes on that passage. The verbal differences in the two charters are many; but whether they are to be attributed to design or to

the error of the copyists, cannot be determined without an inspection of the originals.

on the petition of the said mayor and commonalty or the attornies of the same, as well before us, our heirs and successors, as before all justices whatever of us, our heirs and successors of the common-bench, or before the treasurer and barons of the exchequer of us, our heirs and successors, and before all justices whatever of us, our heirs and successors, or elsewhere in any courts whatever of us, our heirs and successors wherever [they be,] whether such pleas or complaints shall happen to be moved or to be by the writs of us, our heirs and successors, or by bills, or without the writs of us, our heirs and successors, shall be allowed and granted to the said mayor and commonalty of the said town of Bristol in their own name by the same justices and other the officers of us, our heirs and successors of the courts aforesaid on inspection of our charter made for these present grants, without having thereupon any writ of us, our heirs or successors, or any other warrant, precept or mandate directed or to be directed to the said justices or other officers of us, our heirs and successors, to be holden, had and terminated and committed to due execution to be caused to be done thereupon in manner as is premised by the said mayor and two aldermen of the town aforesaid to be nominated for this purpose, as is mentioned above, for the time

Which cognizances shall be allowed by the king's courts, to be holden by the mayor, &c.

ad petitiones dictorum majoris et communitatis aut attornatorum eorundem tam coram nobis, hæredibus et successoribus nostris ac [*lege quàm*] coram quibuscunque justiciariis nostris, hæredum et successorum nostrorum de communi banco, aut coram thesaurario et baronibus de scaccario nostro, hæredum ac successorum nostrorum, ac coram quibuscunque justiciariis nostris, hæredum et successorum nostrorum, seu alibi in quibuscunque curiis nostris, hæredum et successorum nostrorum ubicunque, sive per brevia nostra, hæredum et successorum nostrorum, aut per billas, seu sine brevibus nostris, hæredum et successorum nostrorum hujusmodi placita sive querelæ moveri seu fore contigerint, dicto majori et communitati dictæ villæ Bristoll' nomine ipsorum per eosdem justiciarios et alios ministros nostros, hæredum et successorum nostrorum curiarum prædictarum per inspectionem cartæ nostræ super præsentibus concessionibus nostris confectæ allocentur et concedantur, sine aliquo brevi nostro, hæredum vel successorum nostrorum, aut aliquo alio warranto, præcepto vel mandato dictis justiciariis aut aliis ministris nostris, hæredum et successorum nostrorum prædictis directo sive dirigendo inde habendo, modo quo præmittitur per dictum majorem et duos aldermannos villæ prædictæ (ut prædictum est) ad hoc nominandos pro tempore existentes tenendæ, habendæ, terminandæ, debitæque executioni

The mayor  
and two alder-  
men may  
choose 40  
persons,

Who may  
make rules,

being. **Further** we have granted and by these presents we grant to the said mayor and commonalty, their heirs and successors for ever, that the mayor of the said town of Bristol and his successors for the time being, and two aldermen of the same town for the time being to be nominated and appointed by the mayor of the same town who for the time shall be, shall be enabled to choose by the assent of the commonalty of the said town successively for ever from time to time forty men of the better and honester men of the town, the suburbs and precincts of the same, as often as shall be necessary ; and if in any customs or usages or ordinances had and used or arising anew in the said town of Bristol, the suburbs and precincts of the same there shall be any difficulties or defects, in which a remedy is not yet applied, in the aforesaid cases the same mayor and two aldermen to be nominated and assigned for this purpose, as is before mentioned and the forty men of that town for the time being by their common consent shall have the power of ordering and establishing competent remedy or remedies, which shall be reasonable or useful for the commonalty aforesaid: and that the said mayor and two aldermen to be nominated and appointed for this purpose, as is before mentioned, and the forty men and their

demandandæ et inde fieri faciendæ. **Alterius** concessimus et per præsentis concedimus præfatis majori et communitati, hæredibus et successoribus suis in perpetuum, quòd major dictæ villæ Bristoll' et successores sui pro tempore existentes ac duo aldermanni ejusdem villæ pro tempore existentes per majorem ejusdem villæ qui pro tempore fuerit nominandi et assignandi de assensu communitatis villæ prædictæ eligere poterunt successivè in perpetuum de tempore in tempus quadraginta homines de melioribus et probioribus hominibus villæ, suburbiorum, et præcinctuum eorundem, quoties opus fuerit: quòd si in aliquibus customis sive consuetudinibus aut ordinationibus in dictâ villâ Bristoll', suburbiis et præcinctibus ejusdem habitis et usitatis aut de novo emergentibus difficultates vel defectus fuerint, in quibus remedium nondum est appositum, in casibus antedictis iidem major et duo aldermanni ad hoc (ut prædictum est) nominandi et assignandi et quadraginta homines villæ illius pro tempore existentes de communi assensu suo potestatem habeant ordinandi et stabiliendi competens remedium sive competentia remedia, quod consentaneum fuerit, vel quæ consentanea fuerint rationi, vel utile vel utilia pro communitate prædictâ: et quod dictus major et duo aldermanni ad hoc (ut prædictum est) nominandi et assignandi et quadraginta homines et successores sui pro necessitate et proficuo dictæ villæ

successors for the necessity and profit of the said town of Bristol, the suburbs and precincts of the same shall be enabled by their common consent to assess taxes on the goods of all men and persons of the said town, the suburbs and precincts aforesaid upon every person according to his state as well upon his rents as for <sup>And levy taxes.</sup> his mysteries and merchandizes and otherwise, as they shall see best to be done, and to levy them without impeachment of us, our heirs or successors, the justices or other officers of us and our heirs or successors whatsoever; so that the monies thence arising may remain in the custody of two honest men of the same town of Bristol, the suburbs and precincts, to be chosen to this office by their common consent; and may be expended <sup>Two treasurers are pointed.</sup> out of the custody of the two said men, when necessary, for the necessity and profit of the said town of Bristol and its precincts; which two men shall be accountable for the same before the mayor of the said town for the time being or two other burgesses of the same town to be appointed for that purpose by the same mayor for the time being. And if any one of the said town of Bristol, the suburbs and precincts of the same town shall hereafter be rebellious and disobedient, and will not conform himself to the ordinances of the said mayor and two aldermen to be

Bristoll', suburbiorum et præcinctuum ejusdem de communi assensu suo super bonis omnium hominum et personarum villæ prædictæ, suburbiorum et præcinctuum prædictorum de quâlibet personâ juxta statum suum tam super redditibus suis, quàm pro mysteriis et merchandizis suis et aliter, prout melius faciendum viderint, tallagia assidere poterunt et ea levare absque impetitione nostri, hæredum vel successorum nostrorum, justiciariorum aut aliorum ministrorum nostrorum et hæredum vel successorum nostrorum quorumcunque; ita quod donaria [*lege denarii*] inde provenient' remaneant in custodiâ duorum proborum hominum eorundem villæ Bristoll', suburbiorum et præcinctuum de communi assensu suo ad hoc eligendorum, et pro necessitate et proficuo dictorum villæ Bristoll' et præcinctuum, cum opus fuerit, extra custodiam duorum dictorum hominum expendantur; qui quidem duo homines computabiles inde erunt coram majore villæ prædictæ pro tempore existente vel duobus aliis burgensibus ejusdem villæ ad hoc per eundem majorem pro tempore existentem deputandis. Et si quis de dictâ villâ Bristoll', suburbis seu præcinctibus ejusdem villæ in posterum rebellis et inobediens fuerit et se concordare noluerit ordinationibus dictorum majoris et duorum aldermannorum ad hoc (ut prædictum est) nominandorum et assignandorum ac quadraginta hominum prædictorum,

Mayor and 40  
men may  
punish disobe-  
dient and re-  
fractory per-  
sons.

nominated and appointed for this purpose, as is before mentioned, and of the forty men aforesaid, who for the time shall be; and also if any persons shall be leaders of companies and procurers, abettors or maintainers for the purpose of drawing such companies to make debates and hindrances, from whence discord may arise between the commonalty of the said town of Bristol and the said mayor for the time being and the two aldermen to be nominated and appointed, as is before mentioned, and the other officers who have the keeping of the peace of us and our heirs and successors and the government of the same town, or for the purpose of making debates and discord about the election of a mayor or other our officer whatever of the said town, suburbs and precincts, or for hindering any ordinances which have been established and ordained or shall be ordained by common consent, as is premised, for the profit and necessity of the said town, suburbs and precincts; that they may be punished immediately in due manner by the mayor and two aldermen of the town of Bristol to be nominated as is before mentioned for the time being, in proportion to the quantity and quality of their fault according to the law and custom of our kingdom of England: **and that** whatever writs, whether of covenant or others, shall

qui pro tempore erunt; et etiam si aliqui <sup>18</sup> ductores societatum et procuratores, abettatores, aut manutentores fuerint ad ducendas hujusmodi societates ad debata et impedimenta facienda, unde discordia [*supple* sit vel oriatur] inter communitatem dictæ villæ Bristoll' et dictum majorem pro tempore existentem et duos aldermannos (ut prædictum est) nominandos et assignandos et alios ministros qui pacem nostram et hæredum et successorum nostrorum et regimen ejusdem villæ custodiendum habuerint, seu ad facienda debata et discordiam super electionem majoris aut alterius ministri nostri cujuscunque dictorum villæ, suburbiorum, et præcinctuum seu ad implendam [*l'* impediendum] aliquas ordinationes, quæ de communi assensu (ut præmittitur) pro proficuo et necessitate dictorum villæ, suburbiorum et præcinctuum stabilitæ sint et ordinatæ seu ordinandæ; statim per majorem et duos aldermannos dictæ villæ Bristoll' (ut prædictum est) nominandos, pro tempore existentes, juxta quantitatem et qualitatem delicti secundum legem et consuetudinem regni nostri Angliæ modo debito castigentur: **et quod**

(18) The difference between this and the corresponding passage, p' 58 is very observable; this reading seems far preferable to the former.

hereafter be obtained in the chancery of us, our heirs and successors for the purpose of levying a fine thereon between any parties concerning any or whatever lands, tenements or rents and other tenures being in the same town of Bristol, the suburbs and precincts of the same; the mayor of the same town for the time being and his successors and the two aldermen of the same town for the time being shall have cognizance thereof; and before them in full court to be holden in the Guildhall of the said town that a fine thereof shall be levied, due course of law being preserved, by virtue of any writ of this kind, for a reasonable sum of money to be paid by the parties (as the custom is) for liberty to agree, to the use of us and our heirs; and that full execution thereof be done in the same place, as in our court with regard to fines levied in the same: so that the said mayor and his successors for the time being and the two aldermen of the said town for the time being shall cause to be delivered by their attornies at the exchequer of us, our heirs and successors their estreats in this behalf under their seals every year on the morrow of Michaelmas day: **and that** the same mayor of the same town and his successors for ever may have power of receiving probates of wills concerning lands, tenements, rents and tenures bequeathed within the said town, the suburbs and precincts of the

Mayor and aldermen shall have power to levy fines.

They shall deliver their estreats into the exchequer.

Mayor may receive probates of wills.

quæcunque brevia, sive de conventionem sive alia inter aliquas partes de aliquibus seu quibuscunque terris, tenementis sive redditibus et aliis tenuris in eadem villâ Bristoll', suburbiis et præcinctibus ejusdem existentibus ad finem inde levandum in posterum in cancellariâ nostrâ, hæredum et successorum nostrorum impetrata vel impetranda fuerint; major ejusdem villæ pro tempore existens et successores sui ac duo aldermanni ejusdem villæ pro tempore existentes cognitionem inde habeant, ac coram eis in plenâ curiâ in le Guildhaldâ dictæ villæ tenendâ finis inde vigore cujuslibet brevis hujusmodi pro summâ pecuniæ rationabili per partes illas (prout moris est) pro licentiâ concordandi ad opus nostrum et hæredum nostrorum solvendâ, debito juris ordine servato levetur; et inde ibidem sicut in curiâ nostrâ de finibus in eadem levatis executio plena fiat: ita quod dictus major et successores sui pro tempore existentes et duo aldermanni villæ prædictæ pro tempore existentes extractus suos in hâc parte quolibet anno in crastino Sancti Michaelis sub sigillis suis ad scaccarium nostrum, hæredum et successorum nostrorum per attornatos suos liberari faciant: **et quod** iidem major ejusdem villæ et successores sui in perpetuum habeant potestatem recipiendî probationes testamentorum de terris, tenementis, redditibus et tenuris infra dictam

same, within two years after the death of the testator thereof; so that such wills and legacies being proclaimed in full court of the Guildhall of the said town of Bristol, and enrolled in the rolls of the same court, after such proclamation and enrolment shall be of record; and afterwards the said mayor and his successors shall have power of putting the said legacies in execution by their officers in form of law, or by due process to be made before them by writ of *Ex gravi querelâ* at the prosecution and choice of any one who may choose to prosecute thereupon. **And further** we will and by these presents grant for us, our heirs and successors to the said now mayor and commonalty of the said town of Bristol and their successors, that the mayor and one of the aldermen of that town for the time being to be from time to time appointed for this purpose by the mayor of that town for the time being shall for ever have and hold and shall be enabled to have and hold before the same mayor and alderman so nominated, such and the same kind of court and all and all sorts of such and the same kind of pleas and complaints concerning all and whatsoever trespasses, covenants, and all other matters, causes and demands hereafter arising and happening within the aforementioned town and the liberties aforesaid; and [shall have] cognizance

Mayor and  
one alderman  
may hold the  
same court

villam, suburbia et præinctus ejusdem legatis infra biennium post mortem testatoris inde; ita quòd hujusmodi testamenta et legata proclamantur [*lege* proclamata] in plenâ curiâ de le guildhaldâ dictæ villæ Bristoll', et in rotulis ejusdem curiæ irrotulata post hujusmodi proclamationem, et irrotulamentum sint de recordo; et habeant ex tunc iidem major et successores sui potestatem ponendi legata prædicta in executione per ministros suos in formâ juris, vel per debitum processum coram ipsis faciendum per breve *ex gravi querela* ad prosecutionem et electionem cujuscunq' inde prosequi volentis. **Et ulterius** volumus et per præsentis concedimus pro nobis, hæredibus et successoribus nostris præfato 'nunc majori et communitati dictæ villæ Bristoll et successoribus suis, quòd major et unus aldermannorum villæ illius pro tempore existentium per majorem villæ illius pro tempore existentem de tempore in tempus ad hoc nominandus in perpetuum habeant ac teneant ac coram eisdem majore et aldermanno sic nominato habere et tenere possint talem et hujusmodi curiam, ac omnia et omnimoda talia et hujusmodi placita et querelas de omnibus et quibuscunq' transgressionibus, conventibus et aliis quibuscunq' materiis, causis et demandis infra villam prænominatam et libertates prædictas de cætero emergentibus et contingentibus; et cognitionem eorundem, qualia coram majoribus



of the same, as heretofore they were used and accustomed to have and hold before the mayors and sheriffs of the same town for the time being in the court of the mayor and sheriff of the same town for the time being: and that the same mayor and one alderman of that town so nominated for the time being shall for ever have power and authority of having, holding, hearing and determining before them in such their courts all and whatsoever such pleas and complaints in such and such sort, manner and form, as the mayors and sheriffs of the same town for the time being have hitherto used to have, hold, hear and determine all the same pleas and complaints; and also from time to time shall execute and cause to be executed by such officers of the court processes and executions to be made thereupon, in the same manner and form as the said mayor and sheriff of that town for the time being have been used and accustomed to make and execute such pleas and complaints, and processes and executions made upon such pleas and complaints: **and that** the same mayor and alderman so nominated for the time being, and their successors for ever, shall have, receive and shall be able to have and levy to the use of the mayor and commonalty of the said town for the time being all and all manner of issues, fines, amercements and redemptions to be forfeited, made, assessed or adjudged before the same mayor

Which the mayor and sheriff used to hold,

And may determine pleas and execute process.

Mayor and commonalty shall have all fines, &c.

et vicecomitibus ejusdem villæ pro tempore existentibus in curiâ majoris et vicecomitis ejusdem villæ pro tempore existentium ante hæc tempora usi fuerunt et consueverunt habere et tenere: et quòd iidem major et unus aldermannus villæ illius sic nominatus pro tempore existentes in perpetuum habeant potestatem et auctoritatem coram eis in hujusmodi curiis suis habendi, tenendi, audiendi et determinandi omnia et quæcunque hujusmodi placita et querelas talibus et hujusmodi modo et formâ, prout majores et vicecomites ejusdem villæ pro tempore existentes hactenus usi fuerunt habere, tenere, audire et terminare omnia eadem placita et querelas; necnon processus et executiones superinde faciendos per hujusmodi ministros curiæ exequantur et exequi faciant de tempore in tempus eisdem modo et formâ, prout dicti major et vicecomites villæ illius pro tempore existentes hujusmodi placita et querelas ac processus et executiones super hujusmodi placitis et querelis factos facere et exequi usi fuerunt et facere consueverunt: **et quòd** iidem major et aldermannus sic nominatus pro tempore existentes, et eorum successores in perpetuum habeant, percipiant et ad usum et opus majoris et communitatis villæ prædictæ pro tempore existentium habere et levare poterunt omnes et omnimodos exitus, fines, amerciamenta, et redemptiones coram

Without rendering any account.

Thomas Hoskins appointed water-bailiff.

and one alderman of the town aforesaid for the time being to be so nominated from time to time, in the same and such manner and form, as the mayor and sheriff of the same town for the time being were used and accustomed to have and receive and levy to their use such issues, fines, ameracements and redemptions forfeited, assessed and adjudged before them in such pleas and plaints; without rendering, doing or paying any account or any other thing thereupon to us, our heirs and successors. **And whereas** also we by other our letters patent dated at Westminster on the 24th day of September in the first year of our reign gave and granted to our beloved subject *Thomas Hoskins*, the office of water-bailiff of our town of Bristol, the said office to be had and occupied by himself or by his sufficient deputy for the term of his life, as in the said letters is more fully contained; we now of our royal bounty have granted and by these presents we grant for us, our heirs and successors, to the said now mayor and commonalty, their heirs and successors, that whensoever the said office of water-bailiff shall by death, resignation, deprivation, surrender, dismissal, or otherwise howsoever, happen to be first and next vacant, and whenever the said water-bailiff of the town of Bristol shall die, or shall cease from

eisdem majore et uno aldermanno villæ prædictæ pro tempore existente sic nominando de tempore in tempus forisfaciendos, faciendos, assidendos sive adjudicandos, eisdem ac hujusmodi modo et formâ, prout major et vicecomes ejusdem villæ pro tempore existentes hujusmodi exitus, fines, ameraciamenta et redemptiones coram eis in hujusmodi placitis et querelis forisfactos, assessos, et adjudicatos habere et percipere et ad eorum opus levare usi fuerunt et consuevere, absque aliquo computo et aliquo alio nobis, hæredibus vel successoribus nostris proinde reddendo, faciendo vel solvendo. **Cumque** etiam nos per alias literas nostras patentes datas apud Westmonasterium 24to die Septembris anno regni nostri primo dederimus et concesserimus dilecto subdito nostro *Thomæ Hoskins* officium ballivi-aquæ villæ nostræ Bristoll', habendum et occupandum dictum officium per se vel per deputatum suum sufficientem pro termino vitæ suæ, prout in eisdem literis plenius continetur; nos nunc ex munificentia nostrâ regiâ concessimus ac per præsentis concedimus pro nobis, hæredibus et successoribus nostris præfato nunc majori et communitati, hæredibus et successoribus suis, quòd quandocunque dictum officium ballivi-aquæ per mortem, resignationem, privationem, sursum redditionem, dimissionem seu aliter quomodocunq' primò et proximò vacare contigerit, ac quandocunque dictus ballivus-aquæ villæ Bristoll' vulgariter

the exercise of the office of water-bailiff of the same town, or from whatever cause shall be removed from that office, that from that time the said now mayor and commonalty of the said town of Bristol and their successors for ever shall be water-bailiffs of the said town of Bristol, and shall have to themselves and their successors for ever the said office called *office of water-bailiff of Bristol*; and that the same mayor and commonalty and their successors for ever shall have authority and power from time to time, as often as shall be necessary, at their pleasure to ordain and constitute one of the burgesses of the same town of Bristol water-bailiff of the same place, and to constitute, make, appoint and depute him to and into the said office of water-bailiff within the said town and port of Bristol, the suburbs, liberties and precincts of the same, and to exercise and execute all things to be done belonging to that office; who being so nominated, ordained and deputed, and hereafter from time to time to be nominated, ordained and deputed to exercise and execute that office as long as it shall please the same mayor and aldermen of that town for the time being, shall be and shall be called water-bailiff of the same town; and shall exercise and execute, during the time that he shall be water-bailiff of that town, all and singular the things which are to be done and exercised belonging to the office of water-bailiff in the same place; receiving in and for

Mayor and  
commonalty  
shall be water  
bailiffs;

Who may  
depute or ap-  
point a water-  
bailiff,

nuncupatus *water-bayliffe* obierit, vel ab exercitio officii ballivi-aquæ ejusdem villæ cessaverit, aut ex quacunq[ue] causâ ab officio illo amotus fuerit, quòd ex tunc prædicti nunc major et communitas dictæ villæ Bristoll' et successores sui in perpetuum erunt ballivi-aquæ dictæ villæ Bristoll', et habeant sibi et successoribus suis in perpetuum dictum officium ballivi-aquæ ibidem vulgariter nuncupatum *the office of water-bayliffe of Bristoll*; et quòd iidem major et communitas et successores sui in perpetuum habeant auctoritatem et potestatem de tempore in tempus, quoties opus fuerit, ad eorum libitum ordinandi et constituendi unum de burgensibus ejusdem villæ Bristoll' ballivum-aquæ ibidem, et ipsum constituere, facere, assignare et deputare ad et in dictum officium ballivi-aquæ infra dictam villam et portum Bristoll', suburbia, libertates et præcinctus ejusdem, et omnia ad officium illud pertinentia facienda, exercenda et exequenda; qui quidem ad officium illud exercendum et exequendum sic nominatus, ordinatus et deputatus et de cætero de tempore in tempus nominandus, ordinandus et deputandus, quamdiu eisdem majori et aldermannis villæ illius pro tempore existentibus placuerit, erit et nominetur ballivus-aquæ ibidem,

His wages,  
fees, &c.

On payment of  
four marks per  
ann' into the  
exchequer.

exercising the said office (as well the said now mayor and commonalty of the said town of Bristol and their successors, as any other person, who shall be nominated and appointed, as is aforesaid, to the office of water-bailiff of the same town by the mayor of the said town and the commonalty of the same town for the time being) the wages, fees and all other profits, commodities and emoluments due to the said office, and of old accustomed or any ways pertaining to it; rendering to us and our heirs at our exchequer four marks of legal money of England to be paid annually at the feast of St. Michael the archangel by the hand of the attorney of the said sheriffs of the county of the town aforesaid for the time being into the exchequer of us, our heirs and successors, without rendering or doing any account or any other thing to us or our heirs, except paying the said rent of four marks, as is before mentioned, for the same office or for any commodities, profits or any other things however belonging to the same office. **Moreover** we have granted and by these presents we grant to the said mayor and commonalty, that the mayor and recorder and said five aldermen for the time being and their successors for ever, six, five, four or three of them, of whom the

aliàs *water-bayliffe* ejusdem villæ, et ea omnia et singula quæ ad officium ballivi-aquæ ibidem pertinent seu pertinebunt facienda et exercenda, durante tempore quo ballivus-aquæ villæ illius erit et extiterit, exercebit et exequetur; percipiendo in et pro prædicto officio exercendo, (tam prædicti nunc major et communitas dictæ villæ Bristoll' et successores sui, quàm quilibet alius per majorem dictæ villæ et communitatem ejusdem villæ pro tempore existentes ad officium ballivi-aquæ ejusdem villæ (ut prædictum est) nominandus et constituendus) vadia, feoda et omnia alia proficua, commoditates et emolumenta dicto officio debita et ab antiquo consueta seu aliquo modo pertinentia; reddendo nobis et hæredibus nostris ad scaccarium nostrum quatuor marcas legalis monetæ Angliæ annuatim ad festum Sti' Michaelis archangeli per manum attornati dictorum vicecomitum comitatûs villæ prædictæ pro tempore existentium ad scaccarium nostrum, hæredum et successorum nostrorum solvendas, absque aliquo computo aut aliquo alio, præterquam dicto redditu quatuor marcarum (ut prædictum est) solvendo, pro eodem officio aut pro aliquibus commoditatibus, proficuis sive aliquibus aliis eidem officio qualitercunque pertinentibus, nobis aut hæredibus nostris reddendis seu faciendis. **Insuper** concessimus et per præsentis concedimus prædictis majori et communitati, quòd major et recordator et prædicti quinque aldermanni pro tempore existentes et successores sui in perpetuum, sex, quinque, quatuor vel tres

mayor and recorder of the same town for the time being shall be two, shall be justices of us, our heirs and successors for delivering all the prisoners in our gaols or prisons within the said town of Bristol, the liberties and precincts of the same, from time to time as often as shall be necessary, according to the law and custom of our kingdom of England, without having any other royal letters: and that the mayor of the town aforesaid for the time being, and his successors for the time being, as long as they shall be mayors of the said town, the recorder of the same town, as long as he shall be recorder of the same town, and the said five aldermen of the same town, six, five, four and three of them, of whom the mayor and recorder for the time being shall be two, shall have hereafter for ever, as often as shall be necessary, in all things as many and such powers and authorities, within the said town, the suburbs and precincts of the same, doing, exercising and executing all and singular things within the same town, suburbs and precincts aforesaid and in the same manner and form as any other justices for delivering any gaol or gaols may have, exercise and execute, or shall have a right and shall be empowered to have, exercise and execute elsewhere within our said kingdom; saving always to us and our heirs all and singular the fines, issues and amercements, forfeitures and other

Mayor and Aldermen shall be justices of gaol-delivery.

And shall have the same power as other justices.

Fines and forfeitures reserved to the crown.

eorum, quorum major vel [l' et] recordator ejusdem villæ pro tempore existentes erunt duo, sint justiciarii nostri, hæredum et successorum nostrorum ad omnes prisonar' in goalis sive prisonis nostris infra prædictam villam Bristoll', libertates et præinctus ejusdem de tempore in tempus, quoties opus fuerit, secundum legem et consuetudinem regni nostri Angliæ absque aliis literis regiis habendis deliberandos: et quod major villæ predictæ pro tempore existens, et successores sui pro tempore existentes, quamdiu majores villæ prædictæ extiterint, recordator ejusdem villæ pro tempore existens, quamdiu recordator ejusdem villæ extiterit, ac prædicti quinque aldermanni, quamdiu aldermanni ejusdem villæ extiterint, sex, quinque, quatuor et tres eorum, quorum major et recordator pro tempore existentes erunt duo, habeant de cætero in perpetuum, de tempore in tempus quoties opus fuerit, in omnibus tot et tales potestates et auctoritates infra villam prædictam, suburbia et præinctus ejusdem, ea omnia et singula infra eandem villam, suburbia et præinctus prædictos ac eisdem modo et formâ faciendi, exercendi et exequendi, quot et quales aliqui alii justiciarii ad aliquam goalam sive goalas deliberandas habeant, exercent et exequantur, vel habere, exercere et exequi debebunt et poterunt alibi infra regnum nostrum prædictum; salvis semper nobis et hæredibus nostris omnibus et singulis finibus, exitibus et amerciamentis, foris-

profits to be made, assessed, <sup>19</sup>affereed, forfeited or adjudged before the said justices for delivery of the goal of the said town of Bristol: [<sup>20</sup>strictly commanding all persons, that they do not counteract the premises in any respect,] because express mention of the real annual value or any other value or accuracy of the aforesaid liberties or any of the premisses, or [express mention] of any other gifts or grants heretofore made by us or any of our progenitors or predecessors relating to the premisses or any of the premises to the said mayor and commonalty or their predecessors <sup>21</sup>[be not made in these presents]; or any statute, act, ordinance or provision to the contrary thereof published, ordained or provided, or any matter, thing or cause whatsoever notwithstanding. **These** being witnesses: our most dear first-born son <sup>22</sup>Arthur prince of Wales, duke of Cornwall and earl of Chester; and the most reverend father in Christ, John, cardinal, <sup>23</sup>archbishop of Canterbury, our chancellor of England; and our very

facturis et aliis proficuis coram dictis justiciariis ad goalam dictæ villæ Bristoll' deliberandam et eorum quibuslibet faciendis, assidendis, afferendis, forisfaciendis, sive adjudicandis: eo quod expressa mentio de vero valore annuo aut de aliquo alio valore sive certitudine prædictarum libertatum aut aliquorum præmissorum sive alicujus eorum, aut de aliis donis sive concessionibus per nos, vel aliquos, vel aliquem progenitorum sive prædecessorum nostrorum de præmissis sive de aliquo vel aliquibus præmissorum præfato majori et communitati seu predecessoribus suis ante hæc tempora factis [*supple* in præsentibus minimè facta existit;] aut aliquo statuto, actu, ordinatione sive provisione inde in contrarium edito, ordinato, sive proviso, aut aliquâ materiâ, re, vel causâ quâcunque non obstante. **His testibus** præcharissimo primogenito nostro Arthuro, principe Walliæ, duce Cornubiæ et comite Cestriæ; reverendissimoque in Christo patre Johanne,

(19) *Affered.*] 'To *affer* a fine is to settle and moderate upon oath the fines and amercements imposed on such persons as have committed faults arbitrarily punishable.... The word is used stat' 25 Edw' 3, cap' 7, where mention is made that the justices before their rising in every sessions shall cause the amercements to be affered.' Jacob.

(20) *Strictly commanding.*] See the note 16 of Charter 22, and note 3 of Charter 21.

(21) *Be not made, &c.*] These words, which are indispensable, and which must have been omitted by the carelessness

of a copyist, are supplied from Charter 1 Edw' 3, p' 104 and others.

(22) *Arthur.*] He was at this time about 13 years of age, and died about two years afterward.

(23) *Archb' of Canterb'.*] John Morton, cardinal of St. Anastasia. He was very instrumental in raising Henry 7 to the throne, who rewarded him with the dignities here mentioned. He died at his palace of Knoll, Sept' 1500, about a year after the date of this charter.

dear second-born son, <sup>24</sup> Henry duke of York, marshall of England ; the reverend father in Christ <sup>25</sup> R' bishop of Durham, keeper of our privy seal ; and also our dear cousins, John, <sup>26</sup> earl of Oxford, great chamberlain and admiral of England, and Thomas, <sup>27</sup> earl of Arundel ; and also our beloved and faithful <sup>28</sup> Robert Willoughby

cardinale, archiepiscopo Cantuariensi, cancellario nostro Angliæ ; ac charissimo secundo genito nostro Henrico, duce Eboracensi, marischallo Angliæ ; venerabili atque in Christo patre R' episcopo Dunelm', custode privati sigilli nostri ; ac etiam charissimis consanguineis nostris Johanne Oxon' magno camerario ac ammirallo Angliæ, et Thomâ Arundel', comitibus ; necnon dilectis et fidelibus nostris, Roberto Willoughby de Brooke, milite, senescallo hospitii nostri ;

(24) *Henry, duke of York.*] He was about eight years old ; afterwards king Henry VIII. He was created duke of York when two years old.

(25) *R' b' of Durham.*] Richard Fox, a man of extraordinary worth and dignity. The particulars of his life may be found in Milner's *History of Winchester*, and in Chalmers's *History of the Colleges and Halls in Oxford*, beside what has been collected by Godwin *de Præsulibus*. After having studied at the two English universities, he became acquainted at Paris with Henry E' of Richmond, who was there soliciting succours against king Richard 3. The Earl, being obliged to leave Paris, trusted the negotiation to the care of Fox, who brought it to a successful issue. On the accession of Henry 7 in 1485, he became one of the king's particular advisers, and was soon after made Lord Privy Seal, and principal Secretary. Early in 1487, he was made Bishop of Exeter. In 1491, he stood godfather to Prince Henry, afterwards Henry 8 ; a circumstance which is said to have preserved Corpus Christi College, which he founded, when Wolsey wished to extend his own foundation of Christ-Church over the scite of it's humbler neighbour ; Henry 8 refusing to disturb the establishment of his godfather. In 149½, Fox was translated to Bath and Wells, and in 1494 to Durham. While there in 1497, he defended his bishopric against the Scots, not only by his authority, but personally by arms. In 1498, being invited into Scotland by king James 4, he was entrusted with proposals of marriage between that king and Margaret, king Henry's daughter. Bishop Fox warmly recommended this marriage to the king of England, and was thus particularly instrumental in bringing to pass the union of the two crowns. In 1500, he was elected chancellor of the university of Cambridge. In

1501 probably, and not in 1500, as dated by Godwin, he was made bishop of Winchester, and continued during the whole reign of Henry 7 to be confidentially employed in all affairs of political importance. Soon after the accession of Henry 8, he was the well-intentioned author of a measure which had considerable influence on the civil and ecclesiastical situation of England : he introduced the celebrated Wolsey into the Privy-council. After this, finding his influence with the young king declining by the ascendancy of Wolsey and other favorites, he gradually retired from court and resided at Winchester, where for about the last ten years of his life he had the misfortune to be blind. Here he spent his time in acts of munificence and charity, and in strict devotion. He expended great sums in repairing and embellishing his cathedral church ; he founded a free-school at Taunton, and another at Grantham ; but his principal foundation was \* Corpus Christi College, in Oxford. He died in 1528. The editor dwells with pleasure on the memory of this excellent prelate, to whose munificence and institutions, as the founder of that college, his early years were much indebted.

\* This college deserves mention in a publication relative to Bristol, because one of its best presidents and a most liberal benefactor, Dr. Turner, was a native of this city.

(26) *John, E' of Oxford.*] John Vere, a great friend to the Lancastrian family, and very instrumental in raising Henry 7, to the throne. See note 5, p' 129.

(27) *Tho' earl of A'.*] Thomas Fitz-Alan.

(28) *Sir Robert Willoughby,*] created Lord Brooke in the parliament 1485. Rapin.

de Brooke, knight, steward of our household; <sup>29</sup> Giles Daubeny of Daubeny, knight, chamberlain of our household; Reginald <sup>30</sup> Bray, and Richard Guildford, controllers of our household, knights; and others. Given by our hand at <sup>31</sup> Knolle the 17th day of December, in the 15th year of our reign.

Egidio Daubeny de Daubeny, milite, camerario hospitii nostri; Reginaldo Bray et Ricardo Guilford, contrarotulatoribus hospitii nostri, militibus; et aliis. Data per manum nostram apud Knolle 17<sup>mo</sup> die Decembris, anno regni nostri 15<sup>mo</sup>.

(29) *Sir Giles Daubeny,*] created Baron Daubeny in the same parliament. Rapin.—If so, it is singular that they should be here stiled only knights. All the preceding witnesses, except the princes, had been companions of the king's exile.

(30) *Sir Reg' Bray.*] Who had raised men and money for the king in Wales, before he landed. All the preceding witnesses were now Privy-counsellors.

(31) *Knolle.*] The place here intended is the archiepiscopal palace at Knolle near *Sevenoaks* in Kent. There is a view of it in *Hasted's History of Kent*. The royal palace at *Shene* (now *Richmond*), the king's usual residence, having been burnt down in December 1498, it is probable that the king, while it was re-building, had borrowed Knolle from archbishop Morton, whose hospitality he had experienced on other occasions. Archbishop Warham more than once entertained k' Henry 8, at Knolle. At present it belongs to the duke of Dorset.



## XXV.

### CHARTER OF CONFIRMATION, 10 MAY, 2 HEN' VIII.

A' D' 1510.

**Henry** by the grace of God king of England and France and lord of Ireland to all, to whom these present letters shall come, [sends] health. We have inspected the letters patent of confirmation of the lord Henry late king of England our father made in these words: Henry by the grace of God king, &c. [*Here follows the Charter 5 Feb', 3 Hen' 7, No. 23.*] **We have** inspected the charter of our very dear lord Henry late king of England, our father, made in these words: Henry by the grace of God king, &c. [*Here follows the Charter 17 Dec', 15 Hen' 7, No. 24.*] **But we** holding good and right the charters and letters aforesaid and all and singular the things contained in the same, for us and our heirs, as far as lies in our power, accept and approve of them, and ratify and confirm them to our beloved the now mayor, burgesses and commonalty of the said town of

### XXV. *Carta Confirmationis, 10 Maii, 2 Hen' 8, i' e' 1510.*

**Henricus** Dei gratiâ rex Angliæ et Franciæ et dominus Hiberniæ, omnibus ad quos præsentis literæ pervenerint salutem. Inspeximus literas patentes domini Henrici nuper regis Angliæ patris nostri de confirmatione, factas in hæc verba: Henricus Dei gratiâ rex, &c. **Inspeximus** cartam præcharissimi domini Henrici nuper regis Angliæ, patris nostri, factam in hæc verba: Henricus Dei gratiâ rex, &c. **Nos autem** cartas et literas prædictas et omnia et singula in eisdem contenta rata habentes et grata, ea pro nobis et hæredibus nostris, quantum in nobis est, acceptamus et approbamus ac dilectis nobis nunc majori, burgensibus et communitati ejusdem villæ Bristoll'

Bristol and to their successors, as the charter and letters aforesaid reasonably testify. **In witness** whereof we have <sup>1</sup>caused these our letters to be made patent. Witness ourself at Westminster on the 10th day of May in the second year of our reign.

et successoribus suis ratificamus et confirmamus, prout carta et literæ prædictæ rationabiliter testantur. **In cuius** rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Westmonast', decimo die Maii anno regni nostri secundo.

(1) *We have caused, &c.*] I have translated this passage, here and elsewhere, in the same words, which are every day used on the same occasion; yet the propriety of the translation may be justly questioned. It appears from the common phrases, *Inspecimus literas patentes domini—regis, &c.*

*factas in hæc verba*, and the like, that *facere literas patentes* signifies *to make out (to write) an open letter*. The present passage therefore ought to be expressed in English thus, *We have caused this our letter patent to be made (or written).*

## XXVI.

### CHARTER OF CONFIRMATION, 12 JULY, 1 EDW' VI. A' D' 1547.

**Edward** the sixth by the grace of God of England, France and Ireland king, defender of the faith, &c. and on earth supreme head of the English and Irish church, to all to whom these present letters shall come, [sends] health. We have inspected the letters patent of confirmation of the lord Henry late king of England, our father, made in these words: Henry by the grace of God king, &c. [*Here follows the Charter 10 May, 2 Hen' 8, No. 25.*] **But we** holding good and right the charters and letters aforesaid and all and singular things contained in them, for us and our heirs as far as lies in our power, accept and approve of them, and ratify and confirm them to our beloved the now mayor, burgesses and commonalty of the same town of Bristol and to their successors, as the charter and letters aforesaid rea-

### XXVI. *Carta Confirmationis, 12 Julii, 1 Edw' 6, i' e' 1547.*

**Edwardus** sextus Dei gratiâ Angliæ, Franciæ et Hiberniæ rex, fidei defensor, &c. et in terrâ ecclesiæ Anglicanæ et Hibernicæ supremum caput, omnibus ad quos præsentēs literæ pervenerint salutem. Inspeximus literas patentes domini Henrici nuper regis Angliæ octavi, patris nostri, de confirmatione, factas in hæc verba: Henricus Dei gratiâ rex, &c. **Nos autem** cartas et literas prædictas, ac omnia et singula in eisdem contenta rata habentes et grata, ea pro nobis et hæredibus nostris, quantum in nobis est, acceptamus et approbamus, ac dilectis nobis nunc majori, burgensibus et communitati ejusdem villæ Bristoll' et successoribus suis ratificamus et

168 **Carta Confirmationis, 12 Julii, 1 Edw' 6, i' e' 1547.**

sonably testify. **In witness** whereof we have caused these our letters to be made patent. Witness myself at Westminster on the 12th day of July, 'in the first year of our reign.

confirmamus, prout cartæ et literæ prædictæ rationabiliter testantur. **In cujus** rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Westmon' duodecimo die Julii, anno regni nostri primo.

(1) *Date.*] The king was at this time not ten years old: Seymour, duke of Somerset, protector, the king's mother's the government was principally in the hands of Edward brother.

## XXVII.

### CHARTER OF CONFIRMATION, 1 MARCH, 1 ELIZ', A' D' 1559.

**Elizabeth** by the grace of God of England, France and Ireland queen, defender of the faith, &c. to all to whom these present letters shall come [sends] health. We have inspected the letters patent of confirmation of the lord Edward late king of England the sixth, our very dear brother, made in these words: Edward the sixth by the grace of God king of England, France and Ireland, &c. [*Here follows the Charter 12 July, 1 Edw' 6, No. 26.*] **But we** holding good and right the charters and letters aforesaid, and all and every the things contained in the same, do for us and our heirs as much as lies in our power, accept and approve of them, and ratify and confirm them to our beloved the now mayor, burgesses and commonalty of the same town of Bristol and to their successors, as the charters and letters aforesaid rea-

### XXVII. *Carta Confirmationis, 1 Martii, 1 Elizab', i' e' 1559.*

**Elizabetha** Dei gratiâ Angliæ, Franciæ et Hiberniæ regina, fidei defensor &c. omnibus ad quos præsentibus literæ pervenerint salutem. Inspeximus literas patentes domini Edwardi nuper regis Angliæ sexti, fratris nostri præcharissimi de confirmatione, factas in hæc verba: Edwardus sextus Dei gratiâ Angliæ, Franciæ &c. **Nos autem** cartas et literas prædictas, ac omnia et singula in eisdem contenta rata habentes et grata, ea pro nobis et hæredibus nostris, quantum in nobis est, acceptamus et approbamus, ac dilectis nobis nunc majori burgensibus, et communitati ejusdem villæ Bristoll', et successoribus suis ratificamus et confirmamus, prout cartæ et literæ

170 **Carta Confirmationis, 1 Martii, 1 Eliz', i' e' 1559.**

sonably testify. **In witness** whereof we have caused these our letters to be made patent. Witness myself at Westminster on the first day of March in the first year of our reign.

prædictæ rationabiliter testantur. **In cuius** rei testimonium has literas nostras fieri fecimus patentes. Teste meipsâ apud Westmonast' primo die Martii, anno regni nostri primo.

## XXVIII.

### CHARTER 28 JULY, 23 ELIZABETH, A' D' 1581.

**Elizabeth** by the grace of God of England, France and Ireland queen, defender of the faith, &c. to all to whom these present letters shall come [sends] health. <sup>2</sup> **Whereas** the lord Henry 7 late king of England, our very dear grandfather, by his letters patent made under his great seal of England, bearing date at Knoll on the 17th day of December in the 15th year of his reign has among other things recited, that on account of <sup>Henry the seventh's charter recited,</sup> the singular affection and love which he bore and had toward the then mayor and commonalty of his town of Bristol, and for the preservation of his peace and of sound government, and for increasing the good of the commonwealth of that town and commonalty, he had granted for himself, his heirs and successors, as far as lay in his power, to the said mayor and commonalty of

### XXVIII. *Carta 28 Julii, 23 Eliz', i' e' 1581.*

**Elizabetha** Dei gratiâ Angliæ, Franciæ et Hiberniæ regina, fidei defensor, &c. omnibus ad quos præsentēs literæ pervenerint salutem. **Cum** dominus Henricus septimus nuper rex Angliæ, avus noster præcharissimus per literas suas patentes sub magno sigillo suo Angliæ confectas, gerentes datam apud Knollam decimo septimo die Decembris anno regni sui 15<sup>mo</sup>. inter alia recitaverit, quòd [*dele cum*] ipse ob singularem affectionem et dilectionem, quas penes tunc majorem et communitatem villæ suæ Bristoll' gerebat ac habebat, ac pro conservatione pacis suæ ac sani regiminis, et pro bono reipublicæ villæ et communitatis illius augendo concesserit pro se, hæredibus et successoribus suis, quantum in ipso fuit, præfatis majori et communitati ejusdem

(1) *Elizabeth, &c.*] Some parts of this Charter are to be found in four different places; in Charters 1373, 1499, and twice in these presents: each may frequently be corrected from the others.

(2) *Whereas the Lord Henry*] This manner of reciting the substance of a preceding Charter, seems to be contrary to the statute 13 Edw' 1, quoted above, p' 12. It is very liable to inaccuracy, examples of which appear in this present Charter.

By which six  
aldermen were  
appointed.

the same town, their heirs and successors, that from thenceforth there should be in the said town of Bristol from time to time for ever six aldermen to be nominated and chosen, created and made in manner and form following, viz. that the recorder of the said town of Bristol, who then was recorder of that town and every other recorder of that town for the time being at all future times and for ever from time to time should be one of the said six aldermen; and that the other five aldermen of those six aldermen should be elected and nominated by the mayor and common-council of that town for the time being at their pleasure within one year next following the date of the aforesaid letters patent; which then recorder being so nominated for alderman, and every recorder of that town from thenceforth from time to time to be elected or made, at the time of his admission into the office of recorder of that town should give his corporal oath before the mayor of the same town for the time being, that as long as he should have and exercise the office of recorder of the same town, being in the same town, he would well and faithfully do, execute and exercise all and singular things which were to be done and exercised belonging to the office of alderman of that town; and that as well the said five aldermen of the same town to be elected and nominated first and next after the date

Oath of the re-  
corder.

villæ, hæredibus et successoribus suis, quòd ex tunc de cætero essent in dictâ villâ Bristoll' de tempore in tempus in perpetuum sex aldermanni modo et formâ sequente nominandi et eligendi, creandi et perficiendi, viz. quòd recordator dictæ villæ Bristoll', qui tunc erat recordator villæ illius, et quilibet alius recordator villæ illius pro tempore existens perpetuis futuris temporibus ac in perpetuum de tempore in tempus esset unus dictorum sex aldermannorum; et quòd residui quinque aldermanni eorum sex aldermannorum per majorem et commune concilium villæ illius pro tempore existentes ad eorum libitum infra unum annum datam prædictarum literarum patentium proximè sequentem eligerentur et nominarentur; qui quidem tunc recordator in aldermannum sic nominatus, ac quilibet recordator villæ illius ex tunc de cætero de tempore in tempus eligendus sive faciendus tempore admissionis suæ in officium recordatoris villæ illius, coram majore ejusdem villæ pro tempore existente sacramentum præstaret corporale, quòd ipse, quamdiu officium recordatoris ejusdem villæ haberet et exerceret, ibidem existens, omnia et singula quæ ad officium aldermanni villæ illius pertinerent facienda et exercenda benè et fideliter faceret, exequeretur et exerceret; et tam dicti quinque aldermanni ejusdem villæ primò et proximò post



of the aforesaid letters patent, as any other aldermen of the same town to be chosen or nominated hereafter, when from that time forth they should be elected, made and created, should give and each one of them should give his and their corporal oath, at such creation, nomination, election and making into the office of alderman of that town, concerning the well and faithfully doing, exercising and executing separately the office of alderman of that town, as long as they shall be in the office of alderman of that town, before the mayor and recorder of the said town for the time being; and that as well the five aldermen of that town, who from that time should be first elected, and every one of them, as every other alderman of the same town, who from that time forth from time to time should be elected or nominated, after they should have been so elected, made and sworn, should have and each of them should have within the town aforesaid, the liberties and precincts of the same, as long as they shall continue in the office of alderman of the said town of Bristol, like power and jurisdiction in and through all things, as the aldermen or any alderman of his city of London had and exercised or executed at that time within the same city:

Oath of the aldermen.

And that the aldermen should have the same power as in London;

datam prædictarum literarum patentium eligendi et nominandi, quàm quilibet alii aldermanni ejusdem villæ in posterum eligendi sive nominandi, cum ex tunc electi, perfecti et creati fuissent, sacramentum suum corporale de officio aldermanni villæ illius benè et fidelitèr separatim faciendò, exercendo et exequendo, quam diu in officio aldermanni villæ illius existerent, coram majore et recordatore villæ prædictæ pro tempore existentibus in hujusmodi creatione, nominatione, electione et perfectione in officium aldermanni villæ illius præstarent, et quilibet eorum præstaret; quodque tam iidem quinque aldermanni villæ illius ex tunc primò eligendi et eorum quilibet, quàm quilibet alius aldermannus ejusdem villæ ex tunc in posterum de tempore in tempus eligendus sive nominandus, postquam sic electi, perfecti et jurati fuissent, haberent et eorum quilibet haberet infra villam prædictam, libertates et præcinctus ejusdem, quamdiu in officio unius aldermanni dictæ villæ Bristol' steterint, [*dele* haberent<sup>3</sup> et exercerent] consimilem potestatem et jurisdictionem in omnibus et per omnia, qualem aldermanni sive aliquis aldermannus civitatis suæ London' infra eandem civitatem tunc habebant et exercebant aut exequabantur: cumque

(3) *Haberent et exercerent.*] These words are evidently superfluous, as the sentence is here arranged; but on comparison with Charter 1499, it will appear, that the fault is in queen Elizabeth's copyist. Perhaps instead of omitting

*haberent et exercerent*, it may be thought (on inspection of the similar passage a few pages onwards) that the following words ought to be inserted before them, *aut officium aldermanni villæ illius*.

That the aldermen should have the same power as the aldermen of London,

and whereas also the aforesaid late king by his said letters patent for himself, his heirs and successors willed and granted to the said then mayor and commonalty of the said town of Bristol, their heirs and successors, that the mayor and aldermen of the said town of Bristol for the time being or the greater part of them should be empowered from time to time at all future times at their discretion to remove and depose any one or more of the said five aldermen of that town for the time being, as often as and whensoever it should please them, and to elect, create and make anew for alderman or aldermen of the same town another or others of the honest burgesses of the same town in the place of him or them so removed; who being elected and nominated for alderman or aldermen of that town by the mayor and aldermen of that town for the time being or by the greater part of them should give the like oath before the mayor and recorder of that town for the time being, in manner and form as the aforesaid five aldermen, who should be first from that time elected as is before mentioned, should make and give [their oath]; and that whensoever and as often as any of the said aldermen to be elected and nominated from time to time should die or should retire from such his office, or from

etiam prædictus nuper rex per literas suas patentes prædictas pro se, hæredibus et successoribus suis voluerit et concesserit præfato tunc majori et communitati dictæ villæ Bristoll', hæredibus et successoribus suis, quòd major et aldermanni dictæ villæ Bristoll' pro tempore existentes, sive eorum major pars, potuisset vel potuissent de tempore in tempus perpetuis futuris temporibus per eorum discretionem amovere et deponere aliquem vel aliquos de dictis quinque aldermannis villæ illius pro tempore existentium, quoties et quandocunque eis placuerit, et alium vel alios de probis burgensibus ejusdem villæ loco ipsius amoti vel ipsorum sic amotorum in aldermannum vel aldermannos ejusdem villæ de novo eligere, creare et perficere; qui in aldermannum vel aldermannos villæ illius per majorem et aldermannos villæ illius pro tempore existentes, vel per eorum majorem partem electi et nominati consimile sacramentum coram majore et recordatore villæ illius pro tempore existentibus præstarent, modo et formâ prout prædicti quinque aldermanni (ut prædictum est) primò ex tunc eligendi facerent et præstarent; et quòd quandocunque et quotiescunque aliquis aldermannorum prædictorum de tempore in tempus eligendorum et nominandorum obierit seu ab hujusmodi officio suo recesserit vel ex quacunque causâ ab officio aldermanni villæ illius amotus fuerit, quòd ex tunc et toties bene liceret majori et aliis aldermannis villæ prædictæ pro

whatever cause should be removed from the office of alderman of that town, that from that time and so often it should be lawful for the mayor and other aldermen of the said town for the time being then surviving and remaining, by themselves or by the greater part of them, to elect, make and create into alderman or aldermen of that town, as often as should be necessary and the case should require, another or others of the more honest and prudent burgesses of the same town in the room of him or them so dying, retiring or removed: who being, as is premised, so elected and made, should give a like oath, in the same manner and form as the other said aldermen to be elected first from that time should make and give; and that all and singular the aldermen of that town to be elected and nominated or made thereafter in all future times in manner and form aforesaid, after they should have been elected, made and sworn into the office of alderman of the same town, should have and every one of them should have, in the said town and within the liberties and precincts of the same, like authority and power, as long as they should continue in the office of alderman of that town or should have and exercise the office of alderman of that town, as the aldermen of his city of London then had, exercised and executed within the same city: and whereas further the aforesaid late king Henry the seventh by his letters patent for himself,

And that the mayor and aldermen might remove an alderman and elect another;

And might fill up vacancies;

tempore existentibus tunc superviventibus et remanentibus per ipsos seu majorem partem eorum alium vel alios de probioribus et circumspicuis burgensibus ejusdem villæ loco ipsius decedentis, recedentis vel amoti vel ipsorum sic decedentium, recedentium vel amotorum in aldermannum vel aldermannos villæ illius eligere, perficere et creare, quoties opus foret et casus exigeret; qui quidem sic ut præfertur electi et perfecti consimile sacramentum præstarent eisdem modo et formâ, prout alii prædicti aldermanni ex tunc primò eligendi facerent et præstarent; quòdque omnes et singuli aldermanni villæ illius de cætero futuris temporibus perpetuis modo et formâ prædictis eligendi et nominandi seu perficiendi, postquam in officium aldermanni ejusdem villæ electi, perfecti et jurati forent, haberent et quilibet eorum haberet in villâ prædictâ ac infra libertates et præcinctus ejusdem consimilem auctoritatem et potestatem, quamdiu in officio aldermanni villæ illius starent, aut officium aldermanni villæ illius haberent et exercerent, qualem aldermanni civitatis suæ Londoniæ infra eandem civitatem tunc habebant, exercebant, et exequabantur: Cumque ulterius prædictus nuper rex Henricus septimus per literas suas patentes pro se, hæredibus

his heirs and successors aforesaid granted to the same mayor and commonalty and their successors, that from thenceforth the mayor and recorder of the said town, who then were and for the time should be, and the aforesaid five aldermen to be chosen from time to time as is before said, and their successors and every one of them, when (as is premised) they should be elected, made and created, as long as they should continue and be aldermen of that town, should be jointly and separately keepers and justices of the peace of him, his heirs and successors; and justices of him, his heirs and successors for keeping the peace of him, his heirs and successors within his said town of Bristol, the county of the same town and precincts of the same as well by land as by water; and justices of him, his heirs and successors for keeping and causing to be kept all ordinances and statutes published at Winchester, Northampton and Westminster for preservation of his peace; and for keeping and causing to be kept the statutes and ordinances made there and elsewhere concerning <sup>4</sup>vintners, workmen, artificers, serving-men, inn-keepers, weights, measures, sellers of victuals, beggars and vagabonds, and other

And that the mayor and aldermen should be justices of the peace;

et successoribus suis prædictis concesserit eisdem majori et communitati et successoribus suis, quòd extunc de cætero major et recordator villæ prædictæ, qui tunc erant et qui pro tempore forent, ac prædicti quinque aldermanni de tempore in tempus (ut prædictum est) eligendi et eorum successores et eorum quilibet, cum (ut præmittitur) electi, perfecti et creati forent, quamdiu aldermanni villæ illius starent et existerent, essent conjunctim et divisim custodes ac justiciarii pacis suæ, hæredum et successorum suorum; ac justiciarii sui, hæredum et successorum suorum ad pacem suam, hæredum et successorum suorum infra prædictam villam suam Bristoll', libertates, comitatum ejusdem villæ et præinctus ejusdem tam per terram quam per aquam conservandam; ac justiciarii sui, hæredum et successorum suorum ad omnia ordinationes et statuta apud Winton', Northanton, et Westmonast' pro conservatione pacis suæ; necnon ad statuta et ordinationes ibidem et alibi de venatoribus <sup>4</sup>[*l'* vinatoribus] operariis, artificibus, servitoribus, hostellariis, ponderibus, mensuris, venditoribus victualium, mendicantibus et vagabundis ac aliis

(4) *Venatoribus.*] This is the word in the Bodl' MS. and probably in the copy used by both the former translators, for they have translated it *hunters*. But inasmuch as it is not to be supposed that there were then any such persons as hunters, by trade or occupation, and moreover, unlikely

that there should be occasion to make regulations for such persons in a large town, it is probable that there is a mistake in the copy. I find the following words used for a *vintner*: *vinetarius, vinitarius, vinatarius, vinitor, vinator*; one of the two last is probably the word in the original

beggars who call themselves *travelling men*; and for keeping and causing to be kept the statutes and ordinances published at Westminster in the first and second year of the reign of Henry the fourth late king of England deceased, predecessor of the said late king Henry the seventh, against giving livery of badges of companies to knights, esquires or valets and against giving other liveries of cloths or using the same liveries in any way; and also for keeping and causing to be kept a certain statute against Lollards published in the parliament of Henry the fifth late king of England deceased lately held at Leicester; and for keeping and causing to be kept a certain other statute likewise published in the parliament of the same king held at Westminster concerning counterfeiting, clipping, washing and other falsifying of the money of his land; and for keeping and causing to be kept within the said county of the town of Bristol and within the same town, the liberties and precincts of the same as well by land as by water, all other statutes, and ordinances published and thenceforth afterwards to be published for the good of the peace, the quiet rule and government of the people, in all their articles according to the form, force and effect of them; and for chastising and punishing and causing to be chastised and punished, as ought to be done according to the form of those ordinances and

hominibus mendicantibus qui se nominant *travelling men*; ac ad statuta et ordinationes apud Westm' anno regni Henrici quarti nuper regis Angliæ defuncti, prædecessoris dicti nuper regis Henrici septimi primo et secundo de liberato signorum societatum, militibus, armigeris seu valectis ac aliis liberatis pannorum minimè dandis, nec eisdem liberatis alicqualiter utendis; necnon ad quoddam statutum contra Lollardos in parlamento Henrici quinti nuper regis Angliæ defuncti apud Leicestriam nuper tento editum; ac ad quoddam aliud statutum in parlamento ejusdem regis apud Westmon' de contrafacturâ, tonsurâ, loturâ et aliâ falsitate monetæ terræ suæ tento similiter editum; ac ad omnia alia statuta et ordinationes pro bono pacis, quieto regimine et gubernatione populi sui edita, ac ex tunc in posterum edenda in omnibus suis articulis juxta formam, vim et effectum eorum, in dicto comitatu villæ Bristoll', ac infra eandem villam, libertates et præcinctus ejusdem tam per terram quàm per aquam custodienda et custodiri facienda; et ad omnes illos, quos contra formam ordinationum et statutorum prædictorum aut eorum alicujus delinquentes invenerint, castigandos et puniendos et castigari et puniri faciendos, prout secundùm formam ordinationum et statutorum eorum foret faciendum; et ad omnes illos, qui aliquibus de

statutes, all those whom they should find offending against the form of the ordinances and statutes aforesaid or any one of them; and for causing to come before them by due form of law all those who had threatened any of his people within the county of the town and liberties aforesaid concerning their bodies or the burning of their houses, that they might find sufficient security for the peace and for their good behaviour towards the said late king Henry 7, his heirs and successors for the time being and all his people; and if they should refuse to find such security, then for causing them to be kept safely in the prison of him the late king Henry 7 of the county and town aforesaid, until they should find such security: And whereas also the said late king Henry 7 by his letters patent aforesaid willed and granted to the aforesaid then mayor and commonalty of the said town of Bristol, their heirs and successors, that the said mayor, recorder and other five aldermen of the same town for the time being, six, five, four and three of them, of whom the mayor or recorder of that town for the time being should by all means be one, should be from time to time at all future times justices of him the late king Henry 7, his heirs and successors, for inquiring more fully into the truth, by the oath of good and lawful men of that county and town as well within liberties as without by

populo suo infra comitatum villæ et libertates prædictas minas fecerint de corporibus suis vel de incendio domorum suarum, ad sufficientem securitatem de pace et bono gestu suo erga dictum nuper regem Henricum septimum, hæredes et successores suos pro tempore existentes et cunctum populum suum inveniendam, coram eis per debitam legis formam venire faciendos; et si hujusmodi securitatem invenire recusarent, tunc ad eos in prisonâ ipsius nuper regis Henrici septimi comitatûs et villæ prædictæ, quousque hujusmodi securitatem invenirent, salvo custodiri faciendos: Cumque etiam prædictus nuper rex Henricus septimus per literas suas patentes prædictas voluerit et concesserit præfato tunc majori et communitati dictæ villæ Bristoll', hæredibus et successoribus suis, quòd dictus major, recordator et alii quinque aldermanni ejusdem villæ pro tempore existentes, sex, quinque, quatuor et tres eorum, quorum major et [l' aut] recordator ejus villæ pro tempore existentes [l' existens] omnino esset unus, de tempore in tempus perpetuis futuris temporibus essent et forent justiciarii ipsius nuper regis Henrici septimi ac hæredum et successorum suorum, ad inquirendum per sacramenta proborum et legalium hominum de comitatu et villâ illâ tam infra libertates quam extra per quos rei veritas melius sciri potuisset, de omnibus proditioni-

whom the truth of the matter might be better known, concerning all treasons, murders, rapes of women, and other felonies whatever, trespasses, riots, routs, unlawful assemblies, embraceries, maintenancies, ambidextries, extortions, confederacies, conspiracies, trespasses, regratings and forestallings done or committed or which should happen thereafter to be done or committed within the county of the town aforesaid and liberties aforesaid by whatever persons and howsoever; and also concerning those persons who should have lien or thereafter should presume to lie in wait for the purpose of maiming or killing the people of the said king Henry 7; and also concerning those who in the county, town and liberties aforesaid should have used caps and other liveries of one suit by confederacy and for maintenance contrary to the prohibition and form of certain ordinances and statutes made thereupon in the county, town and liberties aforesaid, and who should thereafter for the future use any such caps and other liveries; and also concerning all and singular persons, who within the county, town, precincts and liberties aforesaid should in any wise have offended against the form of the ordinances and statutes aforesaid or any of them or thereafter should presume to attempt any thing to the contrary thereof; and also for enquiring into the truth more fully concerning all sheriffs, bailiffs, constables and

bus, murdris, raptibus mulierum et aliis felonis quibuscunque, transgressionibus, riottis, routis, conventiculis illicitis, imbraceriis, manutentiis, ambidextris extortionibus, confederationibus, conspirationibus, transgressionibus, regratariis et forestallis infra comitatum villæ prædictæ et libertates prædictas per quoscunque et qualitercunque factis sive perpetratis et ex tunc fieri sive perpetrari contingentibus; et etiam de iis qui in insidiis ad gentem dicti nuper regis Henrici septimi mahemandam vel interficiendam jacerent seu ex tunc jacere præsumserint; et etiam de iis qui caputiis et aliis liberatis de unicâ sectâ per confederationem et pro manutentione contra defensionem ac formam aliquarum ordinationum et statutorum inde ante tunc factarum in comitatu, villâ et libertatibus prædictis usi fuissent, et aliquibus hujusmodi caputiis et aliis liberatis ex tunc in posterum utentibus; necnon de omnibus et singulis iis qui infra comitatum, villam, præcinctus et libertates prædictas contra formam ordinationum et statutorum prædictorum seu eorum alicujus in aliquo delinquerent, aut ex tunc aliquid in contrarium inde attentare præsumserint; necnon ad inquirendum de quibuscunque vicecomitibus, ballivis, constabulariis ac custodibus goalæ, qui infra comitatum, villam, præcinctus et libertates prædictas in executione

keepers of goals, who within the county, town, precincts and liberties aforesaid in the execution of their offices toward artificers, serving-men, labourers, victuallers, inn-keepers, beggars and vagabonds and other persons aforesaid whatever, according to the form of the ordinances and statutes aforesaid, should have behaved themselves improperly, or should have been lukewarm, remiss or negligent and should thereafter happen to be lukewarm, remiss or negligent; and concerning all and singular the articles and circumstances in any respect relating to all and singular the premisses, and concerning other things by whomsoever and howsoever done or committed, and which thereafter should happen to be done, or attempted in the same place, contrary to the form of the ordinances and statutes aforesaid; and also for inspecting all indictments whatever as well those taken and not yet terminated before the same justices of him the late king Henry 7, his heirs and successors, or any of them, or before others the late keepers of the peace or justices of the said late king Henry 7 or the lords Edward 4, Edward 5, late kings of England, or Richard 3 late king of England, appointed for hearing and determining such trespasses and misdeeds in the county, town, liberties and precincts aforesaid by virtue of divers letters patent of the same late king Henry 7 and of the said lords Edward, Edward and

officiorum suorum erga artifices, servitores, laboratores, victuallarios, hostellarios, mendicantes et vagabundos ac alios prædictos quoscunque juxta formam ordinationum et statutorum prædictorum indebitè se haberent et ex tunc indebitè se habere præsumserint, aut tepidi, remissi vel negligentes forent et ex tunc tepidi, remissi vel negligentes fore contigerint; ac de omnibus et singulis articulis et circumstantiis præmissa omnia et singula qualitercunque concernentibus, ac aliis contra formam ordinationum et statutorum prædictorum per quoscunque et qualitercunque factis sive perpetratis, et quæ ex tunc ibidem fieri vel attentari contigerint plenius veritatem; necnon ad omnia indictamenta quæcunque tam coram eisdem justiciariis ipsius nuper regis Henrici septimi, hæredum et successorum suorum, seu eorum aliquibus, aut aliis nuper custodibus pacis vel justiciariis prædicti nuper regis Henrici septimi aut dominorum Edwardi quarti, Edwardi quinti, nuper regum Angliæ, aut Ricardi nuper regis Angliæ tertii ad hujusmodi transgressiones et malefacta in comitatu, villâ, libertatibus et præcinctibus prædictis audiendas et terminandas assignatis virtute diversarum literarum patentium ejusdem nuper regis Henrici septimi ac dictorum dominorum Edwardi, Edwardi et Ricardi seu eorum alicujus, [*supple eis*] ac aliis quibuscunque



Richard or any of them made to them and to any other persons whateyer in the county, town, liberties and precincts of the same; as indictments taken or to be taken before the said mayor, recorder and aldermen, six, five, four and three of them, of whom the mayor or recorder of the same town for the time being should be one justice of him the late king Henry 7, his heirs and successors; and for making and continuing process thereupon and processes against all who should thereafter for the future happen to be indicted for the premisses or any of the premisses before the same justices of the same late king, his heirs and successors, until they should be taken, surrendered or outlawed; and also for hearing as well at the suit of him the late king Henry 7 as well of any other persons whatever willing to be plaintiffs or prosecute before the same justices for him, his heirs and successors or for themselves, and according to the law and custom of our kingdom of England and according to the form of the ordinances and statutes aforesaid for terminating in as ample manner and form, as any other justices of the peace of the said late king Henry 7, his heirs and successors or any other justices of the same late king, his heirs and successors any where else in any other county of the kingdom of England should be able or should have been able to hear and determine, all and singular things,

personis in comitatu, villâ, libertatibus, et præcinctibus ejusdem factarum capta et nondum terminata; quàm coram prædictis majore, recordatore et aldermannis sex, quinque, quatuor, et tribus eorum, quorum major vel recordator ejusdem villæ pro tempore existens esset unus justiciarius ipsius nuper regis Henrici septimi, hæredum et successorum suorum capta vel capienda, inspicienda; ac ad processum inde ac processus versus omnes alios [*l'* ad quos] coram eisdem justiciariis ejusdem nuper regis, hæredum et successorum suorum de præmissis vel aliquo præmissorum ex tunc de cætero indictari contigerit, quousque caperentur, redderentur vel utlagarentur, faciendos et continuandos; necnon ad omnia et singula, quæ contra formam ordinationum et statutorum prædictorum seu in enervationem eorum seu eorum alicujus infra comitatum, villam, libertates et præcinctus prædictos facta et perpetrata seu attentata forent, et quæ ibidem ex tunc in posterum fieri, perpetrari seu attentari contingerent, tam ad sectam ipsius nuper regis Henrici 7<sup>mi</sup> quàm aliorum quorumcunque coram eisdem justiciariis pro se, hæredibus et successoribus suis, aut pro seipsis conqueri seu prosequi volentium, audienda, ac secundum legem et consuetudinem regni nostri Angliæ ac juxta formam ordinationum et statutorum prædictorum termi-

which should have been done and committed or attempted against the form of the ordinances and statutes aforesaid or to the weakening of them or any of them within the county, town, liberties and precincts aforesaid, and which should happen thereafter for the future to be done, committed or attempted in the same place; and also for [hearing and determining] the trespasses and forestallings aforesaid and all other things not declared above to be determinable at the suit of the same late king alone; and for hearing and determining all other things, which by virtue of any ordinances and statutes ought to be discussed and terminated by the keepers of the peace of him the late king, his heirs and successors, and such justices of him, his heirs and successors; and for chastising and punishing for their faults by fines, redemptions, amercements or any other way, all persons offending against the form of the ordinances and statutes aforesaid or any of them, as was usual to be done before the ordinance made concerning corporal punishment to be inflicted on such delinquents for their offences; [and also] for doing or exercising, hearing or determining [<sup>s</sup>all other things, which] belonged or should belong [to the office of justice of our peace] elsewhere within the kingdom of England: And that the same mayor and commonalty, their heirs

nanda, in tam amplis modo et formâ prout aliqui alii justiciarii pacis dicti nuper regis Henrici septimi, hæredum et successorum suorum aut aliqui alii justiciarii [*dele* pacis] ejusdem nuper regis, hæredum et successorum suorum alibi in aliquo alio comitatu regni Angliæ audire et terminare possent seu potuissent; necnon transgressiones et forestalla prædicta ac omnia alia superiùs determinanda non declarata ad sectam ejusdem regis nuper tantum; et omnia alia, quæ virtute aliquarum ordinationum et statutorum per custodes pacis ipsius nuper regis, hæredum ac successorum suorum ac justiciarios suos, hæredum et successorum suorum hujusmodi discuti et terminari debent audienda et terminanda; et ad quoscunque contra formam ordinationum et statutorum prædictorum seu eorum alicujus delinquentes, per fines, redemptiones, amerciamenta aut aliquo alio modo pro delictis suis castigandos et puniendos, prout ante ordinationem de punitione corporali hujusmodi delinquentibus pro delictis suis exhibendâ factam fieri consueverat; alibi infra regnum Angliæ pertinebant seu pertinerent facienda aut exercenda, audienda seu

(5) See the note in Charter 1499, p' 135.

and successors for ever should have all and all sorts and singular the fines, redemptions, issues, forfeitures and ameracements to be made, assessed, forfeited and adjudged from time to time during all future times before the aforesaid justices and any of them ; and that it should be lawful for the same mayor and commonalty and their successors from time to time, as often as should be necessary, to collect and levy by the sheriff or other officer of the same town who then should be and who for the time should be, to the use of the said then mayor and commonalty and of their successors, all and singular such issues, forfeitures, fines, redemptions and ameracements adjudged and to be adjudged or to be assessed ; and that they should be empowered to put themselves in seisin and possession of the same, as the sheriffs, officers or ministers of the said late king Henry 7, his heirs and successors were empowered, would have been empowered or would have had a right to collect and levy them for him, his heirs and successors to the use of him, the late king, his heirs and successors, if they had not been granted to the said mayor and commonalty and their successors ; without rendering or paying or doing thereof any account or any other thing to the same late king, his heirs or successors : and that neither the treasurer of the said late king

terminanda : Et quod iidem major et communitas, hæredes et successores sui in perpetuum haberent omnia et omnimoda et singula fines, redemptiones, exitus, forisfacturas, et amerciamenta coram præfatis justiciariis et eorum quolibet de tempore in tempus perpetuis futuris temporibus duraturis facienda, assidenda, forisfacienda, et adjudicanda ; et quòd bene liceret eisdem majori et communitati et successoribus suis de tempore in tempus, quoties opus fuerit, omnia et singula hujusmodi exitus, forisfacturas, fines, redemptiones et amerciamenta adjudicata et adjudicanda sive assidenda per vicecomitem aut alium ministrum ejusdem villæ, qui tunc essent et qui pro tempore forent, ad opus prædictorum tunc majoris et communitatis et successorum suorum colligere et levare ; ac seipsos in seisinam et possessionem de eisdem ponere possent, prout vicecomites, officarii, vel ministri dicti nuper regis Henrici septimi, hæredum et successorum suorum ea pro ipso, hæredibus et successoribus suis possent, potuissent vel debuerint ad opus ipsius nuper regis, hæredum et successorum suorum percipere et levare, si ea prædictis majori et communitati et successoribus suis concessa non fuissent ; absque aliquo computo aut aliquo alio eidem nuper regi, hæredibus seu successoribus suis inde reddendo, solvendo seu faciendo : et quòd nec thesaurarius dicti nuper regis Henrici septimi, hæredum aut successorum

Henry 7, his heirs or successors,<sup>6</sup>

nor the barons of the exchequer of him, his heirs or successors, from that time forth should make or cause to be made any process against such justices of the peace or any of the justices aforesaid or any of their successors or the heirs or executors of them or any of them, for delivering or causing to be delivered to or into his exchequer or elsewhere any of their estreats of any fines, redemptions, issues, forfeitures or amercements or any other things adjudged, forfeited or assessed or afterwards to be adjudged, forfeited or assessed before the aforesaid justices of the said late king Henry 7, his heirs and successors: and that any other justices of the peace of him or his heirs or successors, or any other justices of him, his heirs or successors should not introduce themselves, nor should any one introduce himself, for the purpose of exercising, doing or executing in the same place any of the ordinances and statutes published or ordained concerning the premisses or any of the premisses arising or happening within the town, county, liberties and precincts aforesaid, or for the purpose of [exercising, doing or executing] any office concerning or for the same or any of them; and that they should not

And that no other justices should interfere;

suorum

nec barones scaccarii sui, hæredum vel successorum suorum, nec eorum aliquis, nec aliqui alii justiciarii, vel ministri sui, hæredum vel successorum suorum ex tunc de cætero facerent seu fieri facerent aliquem processum vel aliquos processus versus hujusmodi justiciarios pacis, aut aliquos seu aliquem justiciariorum prædictorum, seu aliquem successorum suorum, hæredes vel executores suos vel eorum alicujus pro aliquibus extractibus suis de aliquibus finibus, redemptionibus, exitibus, forisfactoris, seu amerciamenti aut aliquibus aliis coram prædictis justiciariis dicti nuper regis Henrici septimi, hæredum et successorum suorum adjudicatis, forisfactis sive assessis, aut in posterum adjudicandis, forisfaciendis vel assidendis, ad aut in scaccarium suum seu alibi liberandis, liberarive faciendis: et quòd aliqui alii justiciarii pacis suæ seu hæredum aut successorum suorum, aut aliqui alii justiciarii sui, hæredum aut successorum suorum, ad aliquas ordinationum et statutorum de præmissis vel aliquo præmissorum editarum seu ordinarum infra villam, comitatum, libertates, et præinctus prædictos emergentibus sive contingentibus, aut ad aliquod officium de aut pro eisdem seu eorum aliquibus ibidem exercendum, faciendum seu exequendum in aliquo ibidem se

(6) The blank may be supplied from the Latin of the corresponding passage in Charter 1499, p' 136: see also the note p' 111.

have or exercise any jurisdiction thereupon: and that the mayor of the said town for the time being, and his successors for the time being, as long as they should be mayors of the said town, the recorder of the same town for the time being, as long as he should be recorder of that town, and the said five aldermen and their successors, as long as they should be aldermen of the same town, six, five, four or three of them, of whom the mayor and recorder for the time being should be two, should have for the future for ever from time to time, as often as should be necessary, in all things as many and such authorities and powers within the town aforesaid, the suburbs and precincts of the same, of doing, exercising and executing all and singular these things within the same town, suburbs and precincts aforesaid and in the same manner and form, as any other justices for delivering any gaol or gaols had, exercised and executed, or ought or had been empowered to have, exercise and execute any where else within the kingdom of England aforesaid; saving always to the aforesaid late king Henry 7 and his heirs all and singular the fines, issues

And that the mayor and aldermen should be justices of gaol-delivery;

non intromitterent, nec eorum aliquis se [*dele* non] intromitteret; aut aliquam jurisdictionem inde haberent vel exercerent: et quod major villæ prædictæ pro tempore existens et successores sui pro tempore existentes, quamdiu majores villæ prædictæ existerent, recordator ejusdem villæ pro tempore existens, quamdiu recordator villæ illius existeret, ac prædicti quinque aldermanni et successores sui, quamdiu aldermanni ejusdem villæ existerent, sex, quinque, quatuor vel tres eorum, quorum major et recordator pro tempore existentes essent duo, haberent de cætero in perpetuum de tempore in tempus, quoties opus foret, in omnibus, tot et tales auctoritates et potestates infra villam prædictam, suburbia et præcinctus <sup>(8)</sup> [*supple* ejusdem, ea omnia et singula infra eandem villam, suburbia et præcinctus] prædictos, ac eisdem modo et formâ faciendi, exercendi et exequendi, quot et quales aliqui alii justiciarii ad aliquam goalam seu goalas deliberandas haberent, exercerent et exequerentur, vel habere, exercere et exequi deberent et potuissent alibi infra regnum Angliæ prædictum; salvis semper prædicto nuper regi Henrico septimo et hæredibus suis omnibus et singulis finibus, exitibus et amerciamentis, forisfactoris et aliis proficuis coram dictis justiciariis ad goalam dictæ villæ deliberandam et eorum quibuslibet faciendis, assidendis,

(7) *And that.*] Vide charter 1499, pp' 160, 161; by inspection in this charter, some few pages further on. of which it will appear that the first part of that grant is here omitted: and the same omission, which is material to its signification, will be observed in queen Elizabeth's own grant,

(8) *Supple.*] This line, omitted by the error of a copyist, has been supplied from charter 1499, p' 161.

and ameracements, forfeitures and other profits to be made, assessed, affeered, forfeited or adjudged before the said justices for delivering the gaol of the said town, and any of them; as by the aforesaid letters patent made to the aforesaid mayor and commonalty of the said town of Bristol among other things more fully is manifest and appears: which town of Bristol was afterwards erected and made into the city of Bristol, as it still is and remains a city.

**We therefore** considering that the same our city of Bristol is a large and populous city, and willing that for the future a certain and undoubted manner shall be always had in the same our city of Bristol concerning and about the keeping of our peace and the rule and government of our people there; and that that city may at all future times be and remain a city of quiet and peace to the fear and terror of evil men and for the reward of the good; and that our peace and other acts of justice may be there kept and done without further avoidance of delay; and weighing the fidelity and duty, which the citizens of our city of Bristol have hitherto shewed to us, We of our especial favour and of our certain knowledge and mere motion have granted, and for ourselves, our heirs and successors (as far as lies in our power) by these presents we grant, that for the future there may

But that the fines and forfeitures were reserved to the crown.

The town was afterwards made a city.

The queen's good will towards the city.

afferendis, forisfaciendis seu adjudicandis; prout per prædictas literas patentes præfato majori et communitati prædictæ villæ Bristoll' confectas inter alia pleniùs liquet et apparet: quæ quidem villa Bristoll' postea in civitatem Bristoll' erecta et perfecta fuit, sicut adhuc civitas extat et remanet. **Nos igitur** considerantes, quòd eadem civitas nostra Bristollia sit civitas ampla et populosa, et volentes quòd de cætero certus et indubitatus modus in eadem civitate nostrâ Bristoll' de et super custodiâ pacis nostræ et regimine et gubernatione populi nostri ibidem continuè habeatur; et ut civitas illa perpetuis futuris temporibus sit et permaneat civitas quietis et pacis ad formidinem ac terrorem malorum et in præmium bonorum; ac etiam ut pax nostra cæteraque facta justitiæ absque ulteriore 9dilationis diffugio ibidem custodiri et fieri valeant; perpendensque fidelitatem et obsequium quæ cives civitatis nostræ Bristoll' nobis hucusque <sup>10</sup>gratis omnibus exhibuerunt et fuerunt, de gratiâ nostrâ speciali ac ex certâ scientiâ et mero motu nostris, concessimus ac pro

(9) *Dilationis diffugio.*] Perhaps the reading ought to be *dilatione et diffugio.*

(10) *Gratis omnibus, &c.*] The text of this passage is corrupt and defective; hardly to be amended without an inspection of the original.

and shall be in the same city of Bristol from time to time for ever twelve aldermen to be nominated and chosen, created and made in manner and form following, viz. that the recorder of the said city of Bristol, who now is recorder of that city, and every other recorder of that city for the time being at all future times and for ever from time to time shall be one of the said twelve aldermen; and that the remaining eleven aldermen of the same twelve aldermen shall be elected and nominated by the mayor and common-council of our city of Bristol for the time being, at their pleasure within one year next following the date of these presents: which recorder so nominated for alderman and every recorder of our city of Bristol to be chosen or made for the future from time to time, at the time of his admission into the office of recorder of that city shall give his corporal oath before the mayor of the same city of Bristol for the time being, that as long as he shall have and exercise the office of recorder of the same city, being there, he will well and faithfully do and execute and exercise all and singular the things, which shall belong to the office of alderman of that city to be done and exercised; and as well the aforesaid eleven aldermen of the same city to be

Twelve aldermen shall be appointed.

The recorder shall be an alderman.

Election of the aldermen.

Oath of the recorder and aldermen.

nobis, hæredibus et successoribus nostris, quantum in nobis est, per præsentis concedimus majori et communitati ejusdem civitatis Bristoll' et successoribus suis, quòd de cætero sint et erunt in eadem civitate Bristoll' de tempore in tempus in perpetuum duodecim aldermanni modo et formâ sequenti nominandi et eligendi, creandi et perficiendi; viz. quòd recordator prædictæ civitatis Bristoll', qui nunc est recordator civitatis illius, ac quilibet alius recordator civitatis illius pro tempore existens perpetuis futuris temporibus ac in perpetuum de tempore in tempus erit unus ditorum duodecim aldermannorum; et quòd residui undecim aldermanni eorundem duodecim aldermannorum per majorem et commune-concilium civitatis nostræ Bristoll' pro tempore existentes ad eorum libitum infra unum annum datam præsentium proximè sequentem eligantur et nominentur; qui quidem nunc recordator in aldermannum sic nominatus, ac quilibet recordator civitatis nostræ Bristoll' de cætero de tempore in tempus eligendus seu faciendus, tempore admissionis suæ in officium recordatoris civitatis illius, coram majore ejusdem civitatis Bristoll' pro tempore existente sacramentum præstabit corporale, quòd ipse quamdiu officium recordatoris ejusdem civitatis habuerit et exercuerit ibidem existens omnia et singula, quæ ad officium aldermanni civitatis illius pertinebunt facienda et exercenda, benè et fideliter faciet, exequetur et exercebit: et tam prædicti undecim aldermanni ejusdem civitatis primò et proximò

Aldermen  
shall have like  
power as alder-  
men of Lon-  
don.

first and next elected and nominated, as every other alderman of the same city to be elected or nominated in future, when hereafter they shall be elected, made and created, shall give and every one of them shall give, at such creation, nomination, election and making into the office of alderman of that city, before the mayor and recorder of the said town for the time being, their corporal oath concerning the well and faithfully severally doing, exercising and executing the office of alderman of that city, as long as they shall continue in the office of alderman of the same city and shall be aldermen of that city: **and that** as well the same twelve aldermen of that city to be from this time first elected and every one of them, as every other alderman of the same city to be chosen or nominated for the future from time to time, after they shall be so chosen, made and sworn, shall have and every one of them shall have within the city aforesaid, the liberties and precincts of the same, as long as they shall have and exercise the office of an alderman of the said city of Bristol, like power and jurisdiction in and through all things as the aldermen or any one of the aldermen of our city of London have, exercise or execute within the same city of London. **And we** will and for ourselves, our heirs and successors by these presents we grant to the aforesaid now mayor and commonalty of the

eligendi et nominandi, quàm quilibet alius aldermannus ejusdem civitatis in posterum eligendus sive nominandus, cum ex nunc electi, perfecti et creati fuerint, sacramentum suum corporale de officio aldermanni civitatis illius benè et fideliter separatim faciendo, exercendo et exequendo, quamdiu in officio aldermanni ejusdem civitatis steterint, ac aldermanni civitatis illius extiterint, coram majore et recordatore villæ prædictæ, pro tempore existentibus in hujusmodi creatione, nominatione, electione et perfectione in officium aldermanni illius civitatis, præstabunt et quilibet eorum præstabit: [*supple et*] **quod** tam iidem duodecim aldermanni civitatis illius ex nunc primò eligendi et eorum quilibet, quàm quilibet alius aldermannus ejusdem civitatis in posterum de tempore in tempus eligendus sive nominandus, postquam sic electi, perfecti et jurati fuerint, habeant, et quilibet eorum habeat, infra civitatem prædictam, libertates et præcinctus ejusdem, quamdiu officium unius aldermanni dictæ civitatis Bristoll' habuerint et exercuerint, consimilem potestatem et jurisdictionem in omnibus et per omnia, qualem aldermanni sive aliquis aldermannorum civitatis nostræ London' infra eandem civitatem London' habent, exercent aut exequuntur. **Et volumus** ac pro nobis, hæredibus et successoribus nostris per præsentis concedimus præfato



said city of Bristol and to their successors, that the mayor and aldermen of the said city of Bristol for the time being, or the greater part of them, shall be empowered from time to time at all future times at their discretion to remove and depose any one or more of the said eleven aldermen of the city of Bristol for the time being, as often and whensoever it shall please them; and to elect anew, create and make into alderman or aldermen of the same city, in the place of him [or them] so removed, another or others of the honestest citizens of the same city, who have before borne and had the office of mayor of the same city; and in defect of such citizens who have borne the office of mayor of the same city, then out of the other elder and gravest citizens of the same city, being of the common-council of the same city; who being elected and nominated for alderman or aldermen of that city by the mayor and aldermen for the time being or the major part of them shall give a like oath before the mayor and aldermen of that city for the time being and the recorder of that city for the time being, in manner and form as the aforesaid twelve aldermen (as is aforesaid), who shall be first from this time elected, shall make and give [their oath]: and that whensoever and as often as any of the said aldermen to be elected and nominated

The mayor and aldermen may remove any of the aldermen, and choose others.

nunc majori et communitati dictæ civitatis Bristoll' et successoribus suis, quòd major et aldermanni dictæ civitatis Bristoll' pro tempore existentes, sive eorum major pars, possit et possint de tempore in tempus in perpetuis futuris temporibus per eorum discrecionem amovere et deponere aliquem vel aliquos de dictis undecem aldermannis civitatis Bristoll' pro tempore existentibus, quoties et quandocunque eis placuerit, et alium vel alios de probioribus civibus ejusdem civitatis, qui prius officium majoris civitatis illius gesserunt et habuerunt, et pro defectu hujusmodi civium qui officium majoris ejusdem civitatis gesserunt, tunc de aliis senioribus et gravissimis civibus ejusdem civitatis existentibus de communi-concilio ejusdem civitatis, loco ipsius sic amoti [11 vel ipsorum sic amotorum] in aldermannum vel aldermannos ejusdem civitatis de novo eligere, creare et perficere; qui in aldermannum vel aldermannos civitatis illius per majorem et aldermannos pro tempore existentes vel per eorum majorem partem electi et nominati consimile sacramentum coram majore et aldermannis civitatis illius pro tempore existentibus et recordatore civitatis illius pro tempore existente præstabunt modo et formâ, prout prædicti duodecem aldermanni (ut

(11) *Vel ipsorum, &c.*] These words are not to be found in the copy kept in the Rolls chapel.

Mayor and al- from time to time shall die, or retire from such their office, or  
 dermen may  
 fill up vacan- from whatever cause shall be removed from the office of alderman  
 cics. of the city of Bristol, that from that time and so often it  
 shall be allowable for the mayor and other aldermen of the city  
 of Bristol aforesaid for the time being then surviving and remain-  
 ing, by themselves or by the greater part of them, to elect, make  
 and create into alderman or aldermen of that city, as often as  
 there shall be need and the case shall require, another or others of  
 the more honest and prudent burgesses of the same city of Bristol  
 in the place of him or them so dying, retiring or removed: who  
 being elected and made, as is premised, shall give the same oath  
 in the same manner and form as the other said aldermen from  
 this time first to be chosen shall make and give: <sup>12</sup>and that all  
 and singular the aldermen of that city of Bristol hereafter at all  
 future times to be elected, nominated or made in manner and  
 form aforesaid, after they shall be elected, made and sworn into  
 the office of alderman of the same city, shall have and every  
 one of them shall have in the city of Bristol aforesaid and within  
 the precincts and liberties of the same city of Bristol like autho-  
 Aldermen shall have the same power as the aldermen of London.

prædictum est) primò ex nunc eligendi facient et præstabunt: et quòd quodocunque et quoties-  
 cunque aliquis aldermannorum prædictorum de tempore in tempus eligendorum et nominandorum  
 obierit, seu ab hujusmodi officio suo recesserit, vel ex quâcunque causâ ab officio aldermanni  
 civitatis Bristoll' amotus fuerit, quòd ex tunc et toties benè licebit majori et aliis aldermannis  
 civitatis Bristoll' prædictæ pro tempore existentibus tunc superviventibus et remanentibus, per  
 ipsos seu majorem partem eorum, alium, vel alios de probioribus et circumspect' burgensibus  
 ejusdem civitatis Bristoll' loco ipsius sic decedentis, recedentis vel amoti, vel ipsorum sic dece-  
 dentium, recedentium vel amotorum in aldermannum vel aldermannos civitatis illius eligere,  
 perficere et creare, quoties opus fuerit et casus exegerit; qui quidem sic, ut præmittitur, electi  
 et perfecti consimile sacramentum præstabunt, eisdem modo et formâ, prout alii prædicti alder-  
 manni ex nunc primò eligendi facient et præstabunt: quòdque omnes et singuli aldermanni  
 civitatis illius Bristoll' de cætero futuris temporibus perpetuis, modo et formâ prædictis eligendi,  
 nominandi sive perficiendi, postquam in officium aldermanni ejusdem civitatis electi, perfecti et

(12) *And that all, &c.*] This grant has been already made, also given twice in Henry the seventh's charter, p' 125, and  
 p' 188; and was twice mentioned in the recital of Henry the seventh's charter at the beginning of this present; and is  
 127. The reason for this repetition is not apparent.

rity and power, as long as they shall remain in the office of  
 alderman of that city or shall have and exercise the office of  
 alderman of that city, as the aldermen of our city of London  
 have, exercise or execute within the same city of London.  
**And further** we grant for ourselves, our heirs and successors to  
 the same mayor and commonalty of the said city of Bristol and  
 to their successors by these presents, that in future the mayor  
 and recorder of the same city of Bristol, who now are and who  
 for the time shall be, and the aforesaid eleven aldermen to be  
 chosen, as is aforesaid, from time to time, and their successors  
 and every one of them, when (as is premised) they shall be  
 elected, made and created, as long as they shall continue and be  
 aldermen of our city of Bristol, <sup>13</sup> shall be jointly and separately  
 keepers and justices of the peace of us, our heirs and successors <sup>14</sup>  
 [and justices of us, our heirs and successors] for keeping the  
 peace of us, our heirs and successors within our said city of  
 Bristol, the liberties, county of the same city, and precincts  
 of the same as well by land as by water; and justices of us,

The mayor and  
 aldermen shall  
 be justices of  
 the peace.

jurati fuerint, habeant et quilibet eorum habeat in civitate Bristoll' prædictâ ac infra præcinctus  
 et libertates ejusdem civitatis Bristoll' consimilem auctoritatem et potestatem, quamdiu in officio  
 aldermanni civitatis illius steterint, aut officium aldermanni civitatis illius habuerint et exercuerint,  
 qualem aldermanni civitatis nostræ London' infra eandem civitatem London' habent, exercent et  
 exequentur. **Et ulterius** concedimus pro nobis, hæredibus et successoribus nostris prædictis  
 eisdem majori et communitati prædictæ civitatis Bristoll' et successoribus suis per præsentem,  
 quòd de cætero major et recordator ejusdem civitatis Bristoll', qui nunc sunt et qui pro tempore  
 erunt, ac prædicti undecim aldermanni de tempore in tempus (ut prædictum est) eligendi et  
 eorum successores et eorum quilibet, cum (ut præmittitur) electi, perfecti et creati fuerint,  
 quamdiu aldermanni civitatis nostræ Bristoll' steterint et constiterint, <sup>13</sup> sint conjunctim et  
 divisim custodes ac justiciarii pacis nostræ, hæredum et successorum nostrorum

<sup>14</sup> ad pacem nostram, hæredum et successorum nostrorum infra  
 prædictam civitatem nostram Bristoll', libertates, comitatum ejusdem civitatis et præcinctus  
 ejusdem tam per terram quàm per aquam conservandam; ac justiciarii nostri, hæredum et suc-

(13) *Sint.*] The Bodl' MS. has *sive*; and it is translated in the text, is taken from the parallel passages in other  
 in both translations, either jointly or severally. The emendation places, and is required by the signification of the sentence.

(14) *Nostrorum...ad pacem.*] The blank may be filled up from the parallel passages.

our heirs and successors for keeping and causing to be kept all ordinances and statutes published at Winchester, Northampton and Westminster for the keeping of our peace; and also for [keeping and causing to be kept] the statutes and ordinances published in the same places and elsewhere concerning vintners, workmen, artificers, serving-men, innkeepers, weights, measures, sellers of victuals, beggars and vagabonds, and other beggars who call themselves *travelling-men*; and for [keeping and causing to be kept] the statutes and ordinances published at Westminster in the first and second years of the reign of the aforesaid Henry the fourth against giving livery of badges of companies to knights, esquires or valets, and against giving other liveries of cloths and using the same liveries in any wise; and also for [keeping and causing to be kept] the aforesaid statute against Lollards published in the aforesaid parliament of the late king Henry the fifth lately holden at Leicester aforesaid; and for [keeping and causing to be kept] the statute likewise published against counterfeiting, clipping, washing and other falsifying the money of our land; and for [keeping and causing to be kept] all other statutes and ordinances published and hereafter to be published for the good of the peace and for the quiet rule and government

cessorum nostrorum ad omnia ordinationes et statuta apud Winton', Northton' et Westmon' pro conservatione pacis nostræ; necnon ad statuta et ordinationes ibidem et alibi de <sup>15</sup>venatoribus, [*lege* vinatoribus] operariis, artificibus, servitoribus, hostellariis, ponderibus, mensuris, venditoribus victualium, mendicantibus et vagabundis, et aliis hominibus mendicantibus, qui se nominant *travelling men*; ac ad statuta et ordinationes apud Westmon' annis regni prædicti Henrici quarti primo et secundo de liberato signorum societatum militibus, armigeris seu valectis, ac aliis liberatis pannorum minimè dandis nec eisdem liberatis aliquàlter utendis; necnon ad prædictum statutum contra Lollardos in parlamento prædicto nuper regis Henrici quinti apud Leicester' prædictam nuper tento edita; ac ad statutum de contrafacturâ, tonsurâ, loturâ, ac aliis falsitatibus monetæ terræ nostræ similiter editum; ac ad omnia alia statuta et ordinationes pro bono pacis et quieto regimine et gubernatione populi nostri edita ac in posterum edenda, in omnibus suis articulis juxta tenorem, vim, formam et effectum eorundem in dicto comitatu civitatis Bristol' ac infra eandem civitatem, libertates et præcinctus ejusdem tam per terram quàm

(15) *Venatoribus.*] See note 4 in this charter, p' 176.

of our people, in all their articles, according to the tenor, force, form and effect of the same, in the said county of the city of Bristol and within the same city, the liberties and precincts of the same as well by land as by water: and for chastising and punishing, causing to be chastised and punished, as shall be proper to be done according to the form of the same ordinances and statutes, all those whom they shall find offending against the form of the ordinances and statutes aforesaid or any of them; and for causing to come before them by due form of law all those, who shall have threatened any of our people within the county, city and liberties of Bristol aforesaid concerning their bodies or the burning of their houses, that they may find sufficient security for the peace and for their good behaviour towards us, our heirs and successors for the time being and towards all our people; and if they should refuse to find such security, then to cause them to be safely kept in our prisons of the county and city of Bristol aforesaid, until they shall find such security. **We also** will and by these presents we grant to the aforesaid now mayor and commonalty of our said city of Bristol, to their heirs and successors, that the said mayor, recorder and other eleven aldermen of the same city for the time being, eleven, ten, nine, eight, seven, six, five, four or three of them, of whom the mayor or

per aquam custodienda et custodiri facienda; et ad omnes illos, quos contra formam ordinationum et statutorum prædictorum aut eorum alicujus delinquentes invenerint, castigandos et puniendos, castigari et puniri faciendos, prout secundum formam ordinationum et statutorum eorundem fuerit faciendum; et ad omnes illos qui aliquibus de populo nostro infra comitatum, civitatem, et libertates Bristoll' prædictas minas fecerint de corporibus suis vel de incendio domorum suarum, ad sufficientem securitatem de pace et bono gestu suo erga nos, hæredes et successores nostros pro tempore existentes et cunctum populum nostrum inveniendam coram eis per debitam legis formam venire faciendos; et si hujusmodi securitatem invenire recusarent, tunc ad eos in prisonis nostris comitatus et civitatis Bristoll' prædictæ, quousque hujusmodi securitatem invenerint, salvè custodiri faciendos. **Volumus** etiam et per præsentis concedimus præfatis nunc majori et communitati dictæ civitatis nostræ Bristoll', hæredibus et successoribus suis, quòd dicti major, recordator et alii undecem aldermanni ejusdem civitatis pro tempore existentes, undecem, decem, novem, octo, septem, sex, quinq' quatuor vel tres eorum, quorum major et [l' aut] recordator ejusdem civitatis pro tempore existens omnino erit unus, de tempore in tempus perpetuis futuris

Mayor, recorder, and aldermen, may inquire into felonies, &c.

the recorder of the same city for the time being shall by all means be one, from time to time at all future times may and shall be justices of us, our heirs or successors, for inquiring by the oaths of good and lawful men of the county and city of Bristol aforesaid, as well within liberties as without, by whom the truth of the matter may be better known, more fully into the truth concerning all treasons, murders, rapes of women and other felonies whatsoever, concerning all trespasses, riots, routs, unlawful assemblies, embraceries, maintenances, ambidextrous extortions, confederacies, conspiracies, trespasses, regratings and forestallings done or committed, and hereafter happening to be done or committed by whomsoever and howsoever within the county, city, precincts and liberties of Bristol aforesaid; and also concerning those persons, who have lien in wait or hereafter shall presume to lie in wait to maim or kill our people; and also concerning those, who in the county of the city and liberties of Bristol aforesaid have used caps and other liveries of one suit by confederacy and for maintenance, contrary to the prohibition and form of certain ordinances or statutes heretofore made hereupon, and concerning those who shall hereafter use any such caps and liveries; and also concerning all and singular those persons, who within the county, city, precincts and liberties of Bristol aforesaid have in any wise

temporibus sint et erunt justiciarii nostri, hæredum vel successorum nostrorum, ad inquirendum per sacramenta proborum et legalium hominum de comitatu et civitate Bristoll' prædictæ tam infra libertates quam extra, per quos rei veritas melius sciri poterit, de omnibus prodicionibus, murdris, raptibus mulierum, et aliis feloniis quibuscunque, de quibuscunque transgressionibus, riottis, routis, conventiculis illicitis, imbraceriis, manutenentiis, ambidextris extortionibus, confederationibus, conspirationibus, transgressionibus, regrat' et forestallis infra comitatum, civitatem, præcinctus et libertates Bristoll' prædictæ, per quoscunque et qualitercunque factis sive perpetratis, et ex nunc fieri sive perpetrari contingentibus; et etiam de iis qui [*adde in*] insidiis ad gentem nostram mahemandam vel interficiendam jacuerint seu ex nunc jacere præsumperint; et etiam de iis qui caputiis et aliis liberatis de unicâ sectâ per confederationem et pro manutenentiâ contra defensionem ac formam aliquarum ordinationum sive statutorum inde ante hæc tempora factorum in comitatu civitatis et libertatibus Bristoll' ptædictæ usi fuerint, et aliquibus hujusmodi caputiis et liberatis in posterum utendis; necnon de omnibus et singulis iis, qui infra comitatum, civitatem, præcinctus et libertates Bristoll' prædictæ contra formam ordina-

offended against the form of the ordinances and statutes aforesaid or any of them, or shall hereafter presume to attempt any thing to the contrary thereof; and also for inquiring [more fully into the truth] concerning all sheriffs, bailiffs, constables and keepers of gaol, who have behaved themselves improperly or hereafter shall presume to behave themselves improperly, or have been lukewarm, remiss or negligent or hereafter shall happen to be lukewarm, remiss or negligent within the county, city, precincts and liberties of Bristol aforesaid in the execution of their offices towards artificers, serving-men, labourers, victuallers, innkeepers, beggars and vagabonds and other persons aforesaid whatever according to the form of the ordinances and statutes aforesaid; and concerning all and singular the articles and circumstances any wise relating to all and singular the premisses, and concerning other things by whomsoever and howsoever done or committed, and which hereafter shall happen to be done or attempted in the same place, contrary to the form of the ordinances and statutes aforesaid; and also for inspecting all indictments whatever, as well those taken and not yet terminated before the same justices of us, our heirs and successors or any of them, or before others late keepers of the peace and justices of us or of the aforesaid late kings Edward 4, Edward 5, or of the aforesaid Richard 3, late

And may enquire into the conduct of sheriffs, &c.,

And may inspect all indictments, and proceed therein;

tionum et statutorum prædictorum, seu eorum alicujus in aliquo delinquerent, [l' deliquerunt,] aut ex nunc aliquid in contrarium inde attentare præsumserint; necnon ad inquirendum de quibuscunque vicecomitibus, ballivis, constabulariis ac custodibus goalæ, qui infra comitatum, civitatem, præinctus et libertates Bristoll' prædictæ in executione officiorum suorum erga artifices, servitores, laboratores, victuallarios, hostellarios, mendicantes et vagabundos et alios prædictos quoscunque juxta formam ordinationum et statutorum prædictorum indebitè se haberint et ex nunc indebitè se habere præsumserint, aut tepidi, remissi vel negligentes fuerint, et ex nunc tepidi, remissi vel negligentes fore contigerint; et de omnibus et singulis articulis et circumstantiis præmissa omnia et singula qualitercunque concernentibus, ac aliis contra formam ordinationum et statutorum prædictorum per quoscunque et qualitercunque factis sive perpetratis, et quæ ex nunc ibidem fieri vel attentari contigerint plenius veritatem; necnon ad omnia indictamenta quæcunque tam coram eisdem justiciariis nostris, hæredum et successorum nostrorum seu eorum aliquibus, aut aliis nuper custodibus pacis et justiciariis nostris aut prædictorum nuper regum Edwardi quarti, Edwardi quinti, aut nuper prædicti Ricardi regis Angliæ tertii ad

king of England, appointed for hearing and terminating such trespasses and misdeeds in the county, city, liberties and precincts aforesaid by virtue of divers letters patent of us or of the said lords Edward, Edward and Richard or any of them made to them and to any other persons whatever in the county, city, liberties and precincts of the same; as [indictments] taken or to be taken before the said mayor, recorder and aldermen, <sup>16</sup>eleven, ten, nine, eight, seven, six, five, four and three of them, of whom the mayor or recorder of the same city for the time being shall be one, justices of us, our heirs and successors; and for making and continuing processes against all those who for the future shall happen to be indicted for the premisses or any of the premisses before the same justices of us, our heirs and successors, until they be taken, surrendered or outlawed: and also for hearing as well at our suit as at the suit of any other persons whatever who may be willing to be plaintiffs or to prosecute before the same justices for us and our heirs or successors or for themselves, and according to the law and custom of our kingdom of England, and according to the form of the ordinances and statutes aforesaid for determining in as ample manner

And may hear and determine all things as other justices do;

hujusmodi transgressioniones et malefacta in comitatu, civitate, libertatibus et præcinctibus prædictis audiendas et terminandas assignatis virtute diversarum literarum patentium nostrarum aut dictorum dominorum Edwardi, Edwardi et Ricardi seu eorum alicujus eis ac aliis quibuscunque personis in comitatu, civitate, libertatibus et præcinctibus ejusdem factarum [*supple* capta] et nondum terminata, quàm coram prædictis majore, recordatore et aldermannis 11, 10, 9, 8, 7, 6, 5, 4, et tribus eorum, quorum major et [*l'* aut] recordator ejusdem civitatis pro tempore existen' erit unus, justiciariis nostris, hæredum et successorum nostrorum capta vel capienda, inspicienda; ac ad processus versus omnes al' [*l'* ad] quos coram eisdem justiciariis nostris, hæredum et successorum nostrorum de præmissis vel aliquo præmissorum de cætero indictari contigerit, quousque capiantur, reddantur vel utlagentur faciendos et continuandos; necnon ad omnia et singula, quæ contra formam ordinationum et statutorum prædictorum, seu in enervationem eorundem seu eorum alicujus infra comitatum, civitatem, libertates et præcinctus Bristoll' prædictæ facta, perpetrata sive attentata fuerint, et quæ ibidem in posterum fieri, perpetrari, seu attentari contigerint, tàm ad sectam nostram quàm aliorum quorumcunque, coram eisdem justiciariis

(16) *Eleven*.] Here, and in the same passage p' 200 *twelve* seems to be omitted, and the omission is not immaterial. In the corresponding passages of this charter, and of that of Hen' 7, (vide p' 160, 161) the word *six* is inserted, which makes it probable that *twelve* ought to be inserted here.



and form as any other justices of the peace of us, our heirs and successors any where else in any county of our kingdom of England can or shall be able to hear and determine all and singular things which have been done, committed or attempted contrary to the form of the ordinances and statutes aforesaid or to the weakening of the same or any of them within the county, city, liberties and precincts of Bristol aforesaid, and which hereafter shall happen to be done, committed or attempted in the same place; and also [for hearing and determining] the trespasses and forestallings aforesaid and all other things not declared above to be determinable at our suit alone, and all other things which by virtue of any ordinances and statutes ought to be discussed and determined by the keepers of the peace of us, our heirs and successors and such justices of us, our heirs and successors; and for chastising and punishing all, who offend against the form of the ordinances and statutes aforesaid or any of them, by fines, redemptions, amercements and other methods according to their offences, as was usual to be done before the ordinance was made concerning corporal punishment to be inflicted on such delinquents for their offences; [and also] for doing or exercising, hearing or determining [all other things which] belong or shall belong <sup>17</sup> [to the

And may fine delinquents.

ciariis pro nobis et hæredibus nostris aut successoribus nostris aut pro seipsis conqueri vel prosequi volentium, audienda, ac secundum legem et consuetudinem regni nostri Angliæ ac juxta formam ordinationum et statutorum prædictorum terminanda in tam amplis modo et formâ, prout aliqui alii justiciarii pacis nostræ, hæredum et successorum nostrorum, aut aliqui alii justiciarii nostri, hæredum et successorum nostrorum alibi in aliquo comitatu regni nostri Angliæ audire et terminare possint seu poterunt; necnon [*supple* ad] transgressionem et forestalla prædicta, ac omnia alia superius [*dele* ad] terminanda non declarata ad sectam nostram tantum, et omnia alia quæ virtute aliquarum ordinationum et statutorum per custodes pacis nostræ hæredum et successorum nostrorum, ac justiciarios nostros, hæredum et successorum nostrorum hujusmodi discuti et terminari debent, audienda et terminanda; et ad quoscunque contra formam ordinationum et statutorum prædictorum seu eorum alicujus delinquentes per fines, redemptiones, amerciamenta ac alios modos pro delictis suis castigandos et puniendos, prout ante ordinationem de punitione

(17) *To the office, &c.*] See note 12, of the charter of 1499.

The mayor  
and common-  
alty shall have  
all fines, &c.

office of justice of our peace] elsewhere within our kingdom of England. **And that** the mayor and commonalty of the said city of Bristol for the time being and their successors for ever may have all and all manner and singular the fines, redemptions, issues, forfeitures, and ameracements to be made, assessed, forfeited and adjudged from time to time during all future times before the said justices and any of them; and that it shall be allowable for the same mayor and commonalty and their successors from time to time, as often as shall be necessary, to collect and levy by the sheriffs or other officers of the same city of Bristol, who now are and for the time shall be, to the use of the said now mayor and commonalty of the city of Bristol and their successors all and singular such issues, forfeitures, fines, redemptions and ameracements adjudged and to be adjudged or to be assessed, and that they shall be empowered to put themselves in seisin and possession of the same, as the sheriffs, officers or ministers of us, our heirs and successors would be empowered, would have been empowered or would have had a right to collect and levy them for us, our heirs and successors to the use of us, our heirs and successors, if they had not been granted to the aforesaid mayor

corporali hujusmodi delinquentibus pro delictis suis exhibendâ factam fieri consuevit ;

alibi infra regnum Angliæ. pertinent seu pertinebunt facienda aut exercenda, audienda seu terminanda. **Et quod** major et communitas prædictæ civitatis Bristoll' pro tempore existentes et successores sui in perpetuum habeant omnia et omnimoda et singula fines, redemptiones, exitus, forisfacturas, et amerciamenta coram præfatis justiciariis et eorum quibuslibet de tempore in tempus perpetuis futuris temporibus duraturis facienda, assidenda, forisfacienda et adjudicanda ; et quod benè licebit eisdem majori et communitati et successoribus suis de tempore in tempus, quoties opus fuerit, omnia et singula hujusmodi exitus, forisfacturas, fines, redemptiones, et amerciamenta adjudicata et adjudicanda sive assidenda per vicecomites aut alios ministros ejusdem civitatis Bristoll', qui nunc sunt et qui pro tempore erunt, ad opus dictorum nunc majoris et communitatis civitatis Bristoll' et successorum suorum colligere et levare ac seipsos in seisinam et possessionem de eisdem ponere possint, prout vicecomites, officarii, vel ministri nostri, hæredum et successorum <sup>18</sup> nostrorum ex parte [*lege ea*] pro nobis, hæredibus

(18) *Nostrorum ex parte pro nobis.*] This is the reading of my copy, but it is manifestly wrong. According to the two corresponding passages preceding it ought to be *ea* instead of *ex*, omitting *parte* altogether. The two translations have in that behalf, whence it seems that their copy had *ea ex parte*. I prefer the former, and have so translated it.

and commonalty of the city of Bristol aforesaid and to their successors; without rendering, making or paying any account or any other thing therefrom to us, our heirs or successors: and that neither the treasurer of us, our heirs or successors and barons of the exchequer of us, our heirs or successors, nor the barons of the exchequer of us, our heirs or successors, nor any of them, nor any other justices, officers or ministers of us, our heirs or successors for the future shall make or cause to be made any process or processes against such justices of the peace or any of the aforesaid justices or any of their successors, or against the heirs and executors of them or any of them, for delivering or causing to be delivered to or into our exchequer or elsewhere any of their estreats of any fines, redemptions, issues, forfeitures or amercements, or any other things adjudged, forfeited or assessed or in future to be adjudged, forfeited or assessed before the said justices of us, our heirs or successors of the city of Bristol aforesaid. **And that** any other justices of the peace of us or our successors, or any other justices of us, our heirs or successors shall not introduce themselves, nor shall any one introduce himself within the city, county, liberties and precincts of Bristol aforesaid for the

Without giving any account at the exchequer.

No other justices shall interfere.

et successoribus nostris possent, potuissent vel deberent ad opus nostrum, hæredum et successorum nostrorum percipere et levare, si ea prædictis majori et communitati civitatis Bristoll' prædictæ et successoribus suis concessa non fuissent; absque ullo computo aut aliquo alio nobis, hæredibus seu successoribus nostris inde reddendo, faciendo seu solvendo: et quòd nec thesaurarius noster, hæredum aut successorum nostrorum et barones de scaccario nostro, hæredum vel successorum nostrorum, nec barones scaccarii nostri, hæredum vel successorum nostrorum nec eorum aliquis nec aliqui alii justiciarii, officarii, vel ministri nostri, hæredum vel successorum nostrorum de cætero faciant seu fieri faciant aliquem processum vel aliquos processus versus hujusmodi justitios pacis, aut aliquos sive aliquem justiciariorum prædictorum seu aliquem successorum suorum hæredes vel executores suos vel eorum alicujus pro aliquibus extractibus suis de aliquibus finibus, redemptionibus, exitibus, forisfactoris, seu amerciamentis aut aliquibus aliis coram prædictis justiciariis nostris, hæredum vel successorum nostrorum civitatis Bristoll' prædictæ adjudicatis, forisfactis, sive assessis, aut in posterum adjudicandis, forisfaciendis, vel assidendis ad aut in scaccarium nostrum seu alibi liberandis liberarive faciendis. **Et quòd** aliqui alii justiciarii pacis nostræ aut successorum nostrorum, aut aliqui alii justiciarii nostri, hæredum aut successorum nostrorum ad aliquas de ordinationibus aut statutis de præmissis vel aliquo

Mayor and aldermen shall be justices of gaol delivery.

purpose of exercising, doing or executing in any wise any of the ordinances or statutes published or ordained concerning the premisses or any of the premisses arising or happening within the same place, or for the purpose of [exercising, doing or executing] in the same place any office concerning or for the same or any of them; nor shall they have and exercise any jurisdiction thereupon. <sup>19</sup>**And that** the mayor of the city of Bristol aforesaid for the time being and his successors for the time being, as long as he shall be mayor of the said city, the recorder of the same city for the time being as long as he shall be recorder of that city, and the aforesaid eleven aldermen and their successors, as long as they shall be aldermen of the same city, eleven, ten, nine, eight, seven, six, five, four or three of them, of whom the mayor and recorder for the time being shall be two, shall have for the future for ever from time to time, as often as shall be necessary, in all things as many and like authorities and powers within the city of Bristol aforesaid, the suburbs and precincts of the same of doing, exercising and executing all and singular these things within the same city and the suburbs and precincts aforesaid and in the same manner and form, as any other justices for delivering any

præmissorum editis seu ordinatis infra civitatem, comitatum, libertates et præinctus Bristoll' prædictæ emergentibus sive contingentibus aut ad aliquod officium de aut pro eisdem seu eorum aliquibus ibidem exercendum, faciendum, seu exequendum in aliquo ibidem se non intromittant, nec eorum aliquis se intromittat; aut aliquam jurisdictionem inde habeant et exerceant. **Et quod** major civitatis Bristoll' prædictæ pro tempore existens, et successores sui pro tempore existentes, quamdiu major civitatis prædictæ extiterit, recordator ejusdem civitatis pro tempore existens, quamdiu recordator civitatis illius extiterit, ac prædicti undecem aldermanni et successores sui, quamdiu aldermanni ejusdem civitatis extiterint, 11, 10, 9, 8, 7, 6, 5, 4, vel tres eorum, quorum major et recordator pro tempore existentes erunt duo, habeant de cætero in perpetuum de tempore in tempus, quoties opus fuerit, in omnibus tot et tales auctoritates et potestates infra civitatem Bristoll' prædictam, suburbia et præinctus ejusdem ea omnia et singula infra eandem civitatem ac suburbia et præinctus prædictos ac eisdem modo et formâ faciendi, exercendi et exequendi, quot et quales aliqui alii justiciarii ad aliquas goalas seu goalam deliberandas

(19) *And that the mayor, &c.*] See the note at p' 185 of this charter.

gaol or gaols have, exercise and execute or shall have a right or shall be empowered to have, exercise and execute elsewhere within our kingdom aforesaid; saving always to us and our heirs and successors all and singular fines, issues, and ameracements, forfeitures, and other profits to be made, assessed, affeered, forfeited or adjudged before the said justices for delivery of the gaol of the aforesaid city of Bristol and any of them: [<sup>20</sup> strictly commanding all persons that they do not counteract the premisses in any respect] because express mention of the real annual value or of any other value or of the accuracy of the premisses or of any of them, or [express mention] of any other gifts or grants heretofore made by us or by any of our progenitors or predecessors to the aforesaid mayor and commonalty of our city of Bristol be not made in these presents; or any statute, act, ordinance, provision, proclamation or restriction to the contrary heretofore had, made, published, ordained or provided, or any other thing, cause or matter whatever in any case notwithstanding.

**In witness** whereof we have caused these our letters to be made patent. Witness myself at Westminster on the 28th day of July in the 23d year of our reign.

habent, exercent et exequuntur, vel habere, exercere et exequi debebunt vel poterunt alibi infra regnum nostrum prædictum; salvis semper nobis ac hæredibus et successoribus nostris omnibus et singulis finibus, exitibus, et amerciamentis, forisfactoris et aliis proficuis coram dictis justiciariis ad goalam prædictæ civitatis Bristoll' deliberandam et eorum quibuslibet faciendis, assidendis, afferendis, forisfaciendis sive adjudicandis: eo quod expressa mentio de vero valore annuo aut de aliquo alio valore vel certitudine præmissorum seu eorum alicujus aut de aliis donis sive concessionibus per nos vel per aliquem progenitorum sive prædecessorum nostrorum præfatis majori et communitati civitatis nostræ Bristoll' ante hæc tempora factis in præsentibus minimè facta existit; aut alio statuto, actu, ordinatione, provisione, proclamatione, sive restrictione inde in contrarium ante hæc habito, facto, edito, ordinato sive proviso, aut aliquâ aliâ re, causâ vel materiâ quâcunque in aliquo non obstante. **In cujus** rei testimonium has literas nostras fieri fecimus patentes. Teste meipsâ apud Westmonasterium vicesimo octavo die Julii anno regni nostri vicesimo tertio.

(20) *Strictly commanding.*] See note 16 of charter No. 22, and note 3 of charter No. 31.

## XXIX.

### CHARTER OF CONFIRMATION, 12 JULY, 2<sup>D</sup> AND 37<sup>TH</sup> OF JAMES I. A' D' 1604.

**James** by the grace of God of England, Scotland, France and Ireland king, defender of the faith, &c. to all to whom these present letters shall come [sends] health. **We have** inspected the letters patent of our very dear sister the lady Elizabeth, late queen of England, of confirmation, made in these words: Elizabeth by the grace of God, &c. [*Here follows the Charter 1 March, 1 Elizabeth, No. 27.*] **We have** also inspected the letters patent of our very dear sister the lady Elizabeth late queen of England in these words: Elizabeth by the grace of God, &c. [*Here follows the Charter 28 July, 23 Eliz', No. 28.*] **But we** holding good and proper the separate charters aforesaid, and all and every the things contained and specified in the same, do for us, our heirs and successors, as far as in us lies, accept and

### XXIX. *Carta Confirmationis, 12 Julii, 2 et 37 Jac' 1,* *i' e' 1604.*

**Jacobus** Dei gratiâ Angliæ, Scotiæ, Franciæ et Hiberniæ rex, fidei defensor, &c. omnibus ad quos præsentis literæ pervenerint, salutem. **Insuperimus** literas patentes præcharissimæ sororis nostræ dominæ Elizabethæ, nuper reginæ Angliæ de confirmatione, factas in hæc verba: Elizabetha Dei gratiâ, &c. **Insuperimus** etiam literas patentes præcharissimæ sororis nostræ dominæ Elizabethæ nuper reginæ Angliæ in hæc verba: Elizabetha Dei gratiâ, &c. **Nos autem** separatas chartas prædictas ac omnia et singula in eisdem contenta et specificata rata habentes et grata, ea pro nobis, hæredibus et successoribus nostris, quantum in nobis est, acceptamus et approbamus, ac ea nunc majori, burgensibus et communitati civitatis Bristoll' et

approve of them, and ratify and confirm them to the now mayor, burgesses and commonalty of the city of Bristol and to their successors, as the separate charters aforesaid in themselves reasonably testify. **In witness** whereof we have caused these our letters to be made patent. Witness myself at Westminster on the '12th day of July in the second year of our reign over England, France and Ireland, and over Scotland the 37th.

successoribus suis ratificamus et confirmamus, prout cartæ separatæ prædictæ in se rationabiliter testantur. **In cujus** rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Westmonast' duodecimo die Julii, anno regni nostri Angliæ, Franciæ et Hiberniæ secundo, et Scotiæ tricesimo septimo.

(1) *Date.*] On July 7, a few days before the date of this charter, k' James had prorogued the Parliament in displeasure.

## XXX.

### CHARTER OF CONFIRMATION, 18 AUG', 2 CHARLES I. A' D' 1626.

**Charles** by the grace of God of England, Scotland, France and Ireland king, defender of the faith, &c. to all to whom these present letters shall come, [sends] health. **We have** inspected the letters patent of our very dear father, the lord James, late king of England, of confirmation, made in these words; James by the grace of God, &c. [*Here follows the Charter 12 July, 2 and 37 James 1, No. 29.*] **But we** holding good and proper the aforesaid charters and all and singular the things contained and specified in the same, do for us, our heirs and successors, as far as in us lies, accept and approve of them, and ratify and confirm them to the now mayor, burgesses and commonalty of the city of Bristol and their successors, as the separate charters aforesaid in themselves reasonably testify. **In witness** whereof we have caused these our letters to be made patent. Witness myself at Canterbury on the 18th day of August, in the 2d year of our reign.

### XXX. *Carta Confirmationis, 18 Aug', 2 Caroli 1, i' e' 1626.*

**Carolus** Dei gratiâ Angliæ, Scotiæ, Franciæ et Hiberniæ rex, fidei defensor, &c. omnibus ad quos præsentēs literæ pervenerint, salutem. **Inspecimus** literas patentes præcharissimi patris nostri domini Jacobi nuper regis Angliæ de confirmatione, factas in hæc verba: Jacobus Dei gratiâ, &c. **Nos autem** separatas chartas prædictas ac omnia et singula in eisdem contenta et specificata rata habentes et grata, ea pro nobis, hæredibus et successoribus nostris, quantum in nobis est, acceptamus et approbamus, ac ea nunc majori, burgensibus, et communitati civitatis Bristol' et successoribus suis ratificamus et confirmamus, prout cartæ separatæ prædictæ in se rationabiliter testantur. **In cuius** rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Canterbury decimo octavo die Augusti, anno regni nostri secundo.



## XXXI.

### CHARTER DATED 13 APRIL, 5 CHARLES I. A' D' 1629.

**Charles** by the grace of God of England, Scotland, France and Ireland king, defender of the faith, &c. to all to whom these present letters shall come [sends] health. **Whereas** the lord Edward late king of England the third, of revered memory, by his letters patent bearing date at Woodstock on the 8th day of August in the 47th year of his reign, for causes and considerations specified in the same letters patent, granted to the burgesses of his town of Bristol and to their heirs and successors for ever, that the said town of Bristol within the suburbs and precincts of the same according to its borders and bounds, as they were then limited, should for the future from thenceforth be separated alike and in all things exempted as well by land as by water from the counties of Gloucester and Somerset, and that it should be a county by itself and should be called the

### XXXI. *Carta 13 Apr', 5 Caroli 1, i' e' 1629.*

**Carolus** Dei gratiâ Angliæ, Scotiæ, Franciæ et Hiberniæ rex, fidei defensor, &c. omnibus ad quos præsentis literæ pervenerint, salutem. **Cum** dominus Edwardus nuper rex Angliæ tertius, progenitor noster, recolendæ memoriæ, per literas suas patentes gerentes datam apud Woodstock octavo die Augusti anno regni sui quadragesimo septimo pro causis et considerationibus in eisdem literis patentibus specificatis concesserit burgensibus villæ suæ Bristoll' et eorum hæredibus et successoribus in perpetuum, quòd dicta villa Bristoll' cum suburbiis et præcinctibus ejusdem juxta fines et boundas, prout limitatæ tunc fuerunt, de comitatibus Gloucestr' et Somersett' de cætero ex tunc separata foret pariter et in omnibus exempta tàm per terram quam per aquam, et quòd foret

county of Bristol for ever; and [whereas] the lord Henry late king of England the eighth, by his letters patent bearing date on the 'fifth day of July in the 34th year of his reign, willed and ordained that the said town of Bristol from that time and thereafter for ever should be a city, and that it should be called, styled and denominated the city of Bristol; [whereas] also he willed and decreed that the county of the said town of Bristol for the future from that time for ever should be the county of his city of Bristol, and willed and decreed that from that time for ever it should be stiled and denominated the county of his city of Bristol, as by the separate letters patent before mentioned is evident and appears; and [whereas] the same burgesses and mayor and commonalty of the town of Bristol, and the mayor and commonalty of our city of Bristol have had different liberties, franchises, privileges and acquittances by virtue of separate letters patent made thereon by our progenitors and have used and enjoyed the same within the town, city and county aforesaid, and the suburbs, limits and bounds of the same; and the mayor, sheriff, eschaetor, coroner, justices appointed for the

comitatus per se et comitatus Bristolliaë nuncuparetur in perpetuum; ac dominus Henricus nuper rex Angliæ octavus per literas suas patentes gerentes datam quinto die Julii anno regni sui 34to voluerit et ordinaverit quòd dicta villa Bristoll' ex tunc et deinceps in perpetuum foret civitas, ipsamque civitatem Bristoll' vocari, appellari et nominari; voluerit etiam et decreverit, quòd comitatus prædictæ villæ Bristoll' de cætero ex tunc in perpetuum foret comitatus civitatis suæ Bristoll', et ex tunc in perpetuum comitatus civitatis suæ Bristoll' nuncupari et nominari voluerit et decreverit, prout per separatas literas patentes antedictas liquet et apparet; iidemque burgenses ac major et communitas villæ Bristoll', ac major et communitas civitatis nostræ Bristoll' diversas libertates, franchisesias, privilegia, et quietantias <sup>2</sup> [*dele tam*] virtute separatarum literarum patentium per progenitores nostros inde confectarum habuerunt, eisdemque usi sunt et gavisii infra villam, civitatem et comitatum prædictum, ac suburbia, limitationes et boundas eorundem; ac major, vicecomes, esceator, coronator, justiciarii ad pacem et ad felonias, transgressiones, et

(1) *Fifth day of July.*] An extraordinary mistake: the original charter of erection and incorporation of the Bishopric and of the Dean and Chapter is in *Rymer's Foedera*, dated June 4, 34 Hen' 8 (1542). See also the White Book in the Chamberlain's office.

(2) *Tam virtute.*] Something is incorrect in this place either *tam* must be corrected or omitted; or a second part of the sentence, preceded by *quam*, is omitted by the copyist.

peace and for felonies, trespasses and other misdemeanours in the town, county and city aforesaid and the other officers and ministers appointed within the town and city aforesaid have hitherto executed and exercised those things which belong to their separate offices in the town, city and county aforesaid; and whereas our castle of Bristol which is of our demesne and parcell of the ancient possessions of our crown of England, and the walls of the same, the ditches and banks surrounding that castle and moreover all the houses and buildings, courts, orchards, gardens, waters, water-courses, lands, farms and soil within the circuit, limits or precincts of the same castle are now situate and are within our county of Gloucester, and are distant from our city of Gloucester by the space of thirty <sup>3</sup> miles; and altho' situate without our city of Bristol and the county of the said city of Bristol and not being parts of the same, yet lie and are contiguous to the same city of Bristol and to the county of the city of Bristol; and whereas we have heard from credible information, that because no justices of the said county of Gloucester dwell near the said castle of Bristol, and the officers of the aforesaid city of Bristol have no authority or jurisdiction to be exercised in that place, many thieves, malefactors or other disorderly livers, and also divers

The castle of Bristol being of the king's ancient demesne,

is in Gloucestershire,

and adjoins to Bristol.

alia malefacta in villâ, comitatu et civitate prædictis assignati, ac alii officarii et ministri infra villam et civitatem prædictam constituti ea, quæ ad separata officia sua pertinent hactenus executi sunt et exercuerunt in villâ, civitate et comitatu prædictis; cumque castrum nostrum Bristoll', quod est de dominico nostro ac parcella possessionum antiquarum coronæ nostræ Angliæ et muri ejusdem, fossati et ripæ castrum illud ambientes, necnon omnia, domus et ædificia, atria, pomaria, gardini, aquæ, aquæ cursus, terræ, fundi et solum infra circuitum, limites sive præcinctus ejusdem castri infra comitatum nostrum Glouc' modò scituantur et existunt, et á civitate nostrâ Glouc' per spatium triginta leucarum distant, et extra civitatem nostram Bristoll' et comitatum prædictæ civitatis Bristoll' scituata nec partes inde existentia eidem tamen civitati Bristoll' et comitatui civitatis Bristoll' contigua adjacent et existunt; cumque ex certificatione fide dignâ accepimus, quòd eâ ratione quòd nulli justiciarii prædicti comitatus Glouc' prope prædictum castrum Bristoll' inhabitant, ac officarii prædictæ civitatis Bristoll' nullam auctoritatem vel jurisdictionem ibidem exercendam habent, multi latrones, malefactores, aut alii inordinatè

(3) Miles.] See note 2 on charter 12, p' 40.

Ill effects of this. persons proper and fit for our service in war, when there has been occasion for their service have fled into the castle aforesaid, and from thence have frequently escaped with impunity, in contempt and derogation of us and our laws and of justice, and to the grievance, hurt and prejudice of our good subjects; **know**

For the king's good-will to his subjects, **ye** that we considering the premisses, and wishing (as far as in us lies, as we are bound) by an opportune and suitable remedy to provide against all things which may chance to happen to the prejudice of the commonwealth and of our faithful subjects or to their hurt, and also at the request of our very well

and at the request of the queen, beloved consort the lady Henrietta Maria queen; of our special favour and of our certain knowledge and mere motion, have willed, ordained, appointed and granted, and by these presents for us, our heirs and successors we will, ordain, appoint and grant, that our said castle of Bristol and the walls, banks and ditches of the same now situate and being within our county of Gloucester, and all the houses, buildings, courts, gates, orchards, gardens, waters, water-courses, lands, farms and soil being within the circuit, liberties, limits or precincts of the same castle or being parts of it, from this time and for ever may and shall be as well by land

The castle separated from Gloucestershire, as by water wholly exempt and separated from our said county of Gloucester, and from all jurisdiction, power and authority of the

viventes, necnon diversæ personæ ad servicia nostra in guerrâ habiles et idonei, cum eorum servitio opus fuerit, in castrum prædictum fugerunt, et exinde multoties impune evaserunt, in nostri et legum nostrarum et justitiæ contemptum et derogationem et bonorum subditorum nostrorum gravamen, damnum, et præjudicium; **Sciatis**, quòd nos præmissa considerantes omniaque, (quantum in nobis est, prout astringimur) quæ reipublicæ et fidelium subditorum nostrorum præjudicio sive læsioni eorum evenire contingant remedio opportuno et congruo præcavere cupientes; necnon ad requisitionem perdilectissimæ consortis nostræ dominæ Henriettæ Mariæ reginæ, de gratiâ nostrâ speciali ac ex certâ scientiâ et mero motu nostris, volumus [*i'* voluimus] ordinavimus, constituimus et concessimus, ac per præsentem pro nobis, hæredibus et successoribus nostris volumus, ordinamus, constituimus et concedimus, quòd prædictum castrum nostrum Bristoll', ac muri, ripæ et fossati ejusdem, modò infra comitatum nostrum Gloucestr' situata et existentia, et omnia domus, ædificia, atria, portæ, pomaria, gardini, aquæ, aquæ cursus, terræ, fundi et solum infra circuitum, libertates, limitationes sive præcinctus ejusdem castri aut partes inde existentia, ex nunc et in perpetuum sint et erunt tam per terram quàm per aquam penitus

sheriffs, escheators, coroners, justices and other officers and ministers of us, our heirs and successors whatever of the said county of Gloucester for ever; and that the said castle of Bristol and all things whatever before mentioned being within the limits, and made part of the city of Bristol. circuit or precincts of the same or being parts thereof, for the future for ever may be, shall be, shall be taken and accepted as members, parts and parcels of the aforesaid city of Bristol and of the county of the same city, and within the county of the city of Bristol, and within the jurisdiction, power and authority of the mayors, sheriffs, coroners, escheators, justices and other officers and ministers of us, our heirs and successors of the said city and county of the same, and part thereof for ever, and by these presents for us, our heirs and successors we wholly separate for ever our castle of Bristol aforesaid and all the houses, buildings, courts, orchards, gardens, waters, water-courses, ditches, banks, lands, farms and soil being within the circuit, liberties, limits or precincts of the said castle, or being parts thereof, from the said county of Gloucester and from all jurisdiction, power and authority of the sheriffs, escheators, coroners, justices and other officers whatsoever of the said county of Gloucester; and by these presents for us, our heirs and successors we unite and annex for ever our castle of

exempta et separata à prædicto comitatu nostro Glouc' et ab omni jurisdictione, potestate et auctoritate vicecomitum, esceatorum, coronatorum, justitiariorum, et aliorum officiariorum et ministrorum nostrorum, hæredum et successorum nostrorum quorumcunque dicti comitatûs Glouc' in perpetuum; quòdque dictum castrum Bristoll' et cætera quæcunque præmentionata infra limites, circuitum vel præcinctus ejusdem, aut partes inde existentia, de cætero in perpetuum sint, erunt, capientur et acceptabuntur ut membra, partes et parcellæ prædictæ civitatis Bristoll' et comitatûs ejusdem civitatis ac infra comitatum civitatis Bristoll' ac infra jurisdictionem, potestatem, et auctoritatem majorum, vicecomitum, coronatorum, esceatorum, justiciariorum et aliorum officiariorum et ministrorum nostrorum, hæredum et successorum nostrorum de dictâ civitate ac comitatu ejusdem ac pars inde in perpetuum; ac prædictum castrum nostrum Bristoll', et omnia domos, ædificia, atria, pomaria, gardinos, aquas, aquarum cursus, fossatos, ripas, terras, fundos, et solum infra circuitum, libertates, limites vel præcinctus dicti castri aut partes inde existentia, de prædicto comitatu Glouc' ac ab omni jurisdictione, potestate et auctoritate vicecomitum, esceatorum, coronatorum, justitiariorum et aliorum officiariorum quorumcunque dicti comitatûs Glouc' pro nobis, hæredibus et successoribus nostris penitus separamus in per-

Bristol aforesaid and all other things whatever before mentioned being within the limits, circuit and precincts of the same or being parts thereof, to the said city of Bristol and county of the same city and to the jurisdiction, power and authority of the mayors, sheriffs, coroners, escheators, justices and other officers and ministers of the said city and county of the same. **And further** of our more ample special favour and of our certain knowledge and mere motion we will, and by these presents for us, our heirs and successors we grant to the mayor and commonalty of the city of Bristol and to their successors, that the said mayor and commonalty and aldermen, sheriffs, escheators, coroners, justices appointed and to be appointed for the peace and other felonies, trespasses and other misdemeanors in the city of Bristol and county of the same city, and all other officers and ministers appointed and to be appointed within the city of Bristol aforesaid and the county of the same city, and all the burgesses and citizens of the same city for the future for ever may have, hold, use, enjoy and exercise and may be able and empowered to have, hold, use, enjoy and exercise within the aforesaid castle, the aforesaid

Magistrates, officers and citizens, shall have the same rights in the castle as in the city.

petuum per præsentēs; ac dictum castrum nostrum Bristoll' et cætera quæcunque præmentionata infra limites, circuitum et præcinctus ejusdem aut partes inde existentia, dictæ civitati Bristoll' ac comitatu ejusdem civitatis, ac jurisdictioni, potestati et auctoritati majorum, vicecomitum, coronatorum, escheatorum, justiciariorum, et aliorum officiariorum et ministrorum dictæ civitatis et comitatus ejusdem pro nobis, hæredibus et successoribus nostris unimus et annectimus in perpetuum per præsentēs. **Et ulterius** de ampliori gratiâ nostrâ speciali, ac ex certâ scientiâ et mero motu nostris volumus ac per præsentēs pro nobis, hæredibus et successoribus nostris concedimus majori et communitati civitatis Bristoll' et successoribus suis, quòd prædictus major et communitas et aldermanni, vicecomites, escheatores, coronatores, justiciarii ad <sup>4</sup>pacem, et alias felonias, transgressionēs, et alia malefacta in prædictâ civitate Bristoll' et comitatu ejusdem civitatis assignati et assignandi, ac omnes alii officarii et ministri infra civitatem Bristoll' prædictam et comitatum ejusdem civitatis constituti et constituendi, ac singuli burgenses et cives ejusdem civitatis de cætero in perpetuum habeant, teneant, utantur, gaudeant et exerceant, ac habere, tenere, uti, gaudere et exercere valeant et possint infra prædictum castrum, prædictas libertates et præcinctus ejusdem et quamcunque inde partem, tot,

(4) *Pacem* ..... *et alias felonias.*] Some few words seem to be here omitted.

liberties and precincts of the same and every part thereof, as many, as great, such, the same, of such sort and the like rights, jurisdictions, authorities, powers, liberties, franchises, privileges, immunities, quittances, <sup>5</sup>order of drawing out men, power of holding pleas and to have cognizance of pleas, view of frank-pledge, and all things which relate to view of frank-pledge, and punishment of all delinquents whatever, as and which they or any of them now have, hold, use and enjoy and exercise or may be able or empowered to have, hold, use, enjoy and exercise within the said city and county of the same or either of them by reason or pretence of any charter, gift, grant or confirmation or of any letters patent heretofore made, granted or confirmed by us or by any of our progenitors or predecessors, kings or queens of England, or by any other legal manner, right, title, usage, prescription or custom whatever: so that no sheriff, escheator, coroner, justice or officer or minister of us, our heirs or successors of the said county of Gloucester shall enter or shall in any way presume to enter the said castle, the liberties or precincts of the same for the purpose of doing any thing therein which belongs or can belong to their office:

No sheriff or officer of Gloucestershire shall enter.

**And that** the men who dwell within the castle and precincts

tanta, talia, eadem, hujusmodi et consimilia jura, jurisdictiones, auctoritates, potestates, libertates, franchises, privilegia, immunitates, quietantias, regimen deductionis hominum, potestatem tenendi placita et habere cognitionem placitorum, visum franci plegii, et omnia quæ ad visum franci plegii pertinent, et delinquentium castigationem quorumcunque, quot, quanta, qualia, et quæ ipsi, eorum aliquis aut aliqui modò habent, tenent, utuntur, et gaudent et exercent, aut habere, tenere, uti, gaudere et exercere valeant aut possint infra dictam civitatem et comitatum ejusdem, aut eorum alterum, ratione vel prætextu alicujus cartæ, doni, concessionis, seu confirmationis, aut aliquarum literarum patentium per nos seu per aliquem progenitorum vel antecessorum nostrorum regum vel reginarum Angliæ ante hæc tempora factarum, concessarum seu confirmatarum, seu quocunque alio legali modo, jure, titulo, usu, præscriptione seu consuetudine quocunque: ita quòd nullus vicecomes, escheator, coronator, justiciarius aut officarius seu minister noster, hæredum vel successorum nostrorum prædicti comitatùs Glouc' dictum castrum, libertates vel præcinctus ejusdem ad aliquod quod ad officium suum inibi faciendum pertinet seu pertinere poterit ingrediatur seu ingredi præsumat quovis modo: **et quod** homines

(5) *Order of drawing, &c.*] It probably means the mode of raising men for the military service.

Inhabitants of  
the castle shall  
be reputed as  
citizens.

Mayor, &c. of  
the city shall  
be answerable  
for the castle.

aforesaid for the time being, and who abide in the same place shall have and enjoy for ever all and singular the liberties, franchises, privileges, acquittances, immunities had or enjoyed by the citizens or by the burgesses of the said city as well within the said city, as elsewhere without the same city, and shall be had, holden and reputed in all things as citizens and men of the same city, as the other citizens and men of that city, as well within that city as without the same; and that the aforesaid mayor and commonalty and the mayors, sheriffs, escheators, justices, coroners, and other officers and ministers of the aforesaid city or county of the city of Bristol from time to time shall be alike answerable and attendant in all respects, as the citizens, burgesses and men of the same city of Bristol are or ought to be answerable or attendant, although the said castle or other premisses, so united (as is before mentioned) to the said city and county of the city of Bristol, be or any of them be of our demesne or parcel of the possessions of our crown; and although the men there living or inhabiting be our tenants or abiding within our castle or our fee: [<sup>6</sup>strictly commanding all persons, that they do not counteract the premisses in any respect] because express mention be not made in these presents of the true annual value or of any other

[*dele et*] inhabitantes infra castrum et præinctus prædictos pro tempore existentes et commorantes ibidem omnia et singula, libertates, franchises, privilegia, acquietantias, immunitates per cives seu per burgenses civitatis prædictæ tam infra civitatem prædictam seu alibi extra eandem civitatem habita seu gavisia habeant et gaudeant in perpetuum, ac ut cives et homines ejusdem civitatis, prout cæteri cives et homines civitatis illius tam infra civitatem illam quam extra eandem habeantur, teneantur et reputentur in omnibus: ac quòd prædicti major et communitas ac majores, vicecomites, escheatores, justiciarii, coronatores et alii officarii et ministri prædictæ [*dele comitatùs*] civitatis, seu comitatùs civitatis Bristoll' de tempore in tempus respondententes sint pariter et intendentes in omnibus, prout cives, burgenses et homines ejusdem civitatis Bristoll' respondententes seu intendentes sunt vel esse debent, licet castrum prædictum vel alia præmissa sic, ut præfertur, unita prædictæ civitati et comitatui civitatis Bristoll', sint vel eorum aliquod sit de dominico nostro, aut parcella possessionum coronæ nostræ; ac licet homines ibi degentes seu inhabitantes sint tenentes nostri, seu infra castrum nostrum seu feodum nostrum commorantes:

(6) *Strictly commanding, &c.* See the notes, pp' 119 and 104.



valu eor of the accuracy of the premisses or any of them, or of any other gifts or grants heretofore made by us or by any of our progenitors or predecessors to the said mayor and commonalty of the city of Bristol aforesaid; or any statute, act, ordinance, provision, proclamation or restriction to the contrary thereof heretofore had, made, published, ordained or provided or any other thing, cause or matter whatsoever in any respect notwithstanding. **In witness** whereof we have caused these our letters to be made patent. Witness myself at Westminster on the 13th day of April, in the 5th year of our reign.

eò quòd expressa mentio de vero valore aunuo et de aliquo alio valore aut de certitudine præmissorum vel eorum alicujus, aut de aliis donis seu concessionibus per nos seu per aliquem progenitorum vel predecessorum nostrorum præfato majori vel [*lege et*] communitati civitatis Bristoll' prædictæ ante hæc tempora factis in præsentibus minimè facta existit; aut aliquo statuto, actu, ordinatione, provisione, proclamatione, seu restrictione in contrarium inde ante hæc habito, facto, edito, ordinato, sive proviso, aut aliquâ aliâ re, causâ vel materiâ quâcunque in aliquo non obstante. **In cujus** rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Westmonast' tertio decimo die Aprilis, anno regni nostri quinto.

## XXXII.

### CHARTER 26 OCT', 6 CHARLES I. A' D' 1630.

**Charles** by the grace of God of England, Scotland, France and Ireland king, defender of the faith, &c. to all to whom these present letters shall come [sends] health. **Know ye** that we as well for and in consideration of the sum of 959 pounds of lawful money of England well and faithfully paid in hand to our use at the receipt of our exchequer in Westminster by our beloved the mayor, burgesses and commonalty of the city of Bristol, of which we acknowledge ourselves to be fully satisfied and paid, and the same mayor, burgesses and commonalty and their successors to be thereof and of every part thereof acquitted and released for ever by these presents; as for divers other good causes and considerations specially moving us for the present, of our special favour and from our certain knowledge and mere motion have given and granted and by these presents for us, our heirs and successors we give and grant to the said mayor, burgesses and commonalty of the

The castle granted to the mayor, burgesses, &c.

### XXXII. *Carta 26 Oct', 6 Caroli 1, i' e' 1630.*

**Carolus** Dei gratiâ Angliæ, Scotiæ, Franciæ et Hiberniæ rex, fidei defensor, &c. omnibus ad quos præsentis literæ pervenerint, salutem. **Sciatis**, quòd nos tam pro et in consideratione summæ noningentarum quinquaginta novem librarum legalis monetæ Angliæ per dilectos nobis majorem, burgenses et communitatem civitatis Bristoll' ad receptum scaccarii nostri Westm' ad usum nostrum præ manibus benè et fideliter solutæ, unde fatemur nos plenariè fore satisfactos et persolutos, eosdemque majorem, burgenses et communitatem et successores suos inde et de quâlibet inde parcellâ acquietatos esse et exoneratos in perpetuum per præsentis, quàm pro diversis aliis bonis causis et considerationibus nos ad præsens specialiter moventibus, de gratiâ nostrâ speciali ac ex certâ scientiâ et mero motu nostris dedimus et concessimus ac per præsentis pro nobis, hæredibus et successoribus nostris damus et concedimus præfatis majori, burgensibus,

city of Bristol and their successors all that our castle of Bristol in the county of our city of Bristol and in our county of Gloucester or in either of them, with all its rights, members and appurtenances; and moreover all that our mansion-house within the castle of Bristol aforesaid, now or late in the tenure or occupation of *Francis Brewster*, yeaman, or his assigns; and all that close lying outside the ditch of the said castle, called by the name of *the King's Orchard*, containing by estimation two acres; and all that parcel of our ground called *the Inner-Green*; and all that our tenement within the precincts, compass or circuit of the castle of Bristol aforesaid now or late in the tenure or occupation of *John Brewer* or his assigns; and all that our tenement now or late in the tenure or occupation of *John Griffith* within the precincts of the castle aforesaid; and all that our tenement with the appurtenances in the same place, now or late in the tenure or occupation of *Thomas Usher* or his assigns; and all that our tenement with the appurtenances in the same place, now or late in the tenure or occupation of *John Richard* or his assigns; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *Thomas Gresham* or his assigns; and

et communitati civitatis Bristoll' et successoribus suis totum illud castrum nostrum de Bristoll' in comitatu civitatis nostræ Bristoll' et in comitatu nostro Glouc' vel in eorum altero, cum suis juribus, membris et pertinentiis universis; necnon totam illam domum mansionalem nostram infra castrum de Bristoll' prædictum, modò vel nuper in tenurâ sive occupatione *Francisci Brewster*, yeaman vel assignatorum suorum; ac totum illud clausum jacens extra fossam castri prædicti vocatum per nomen de *le King's Orchard*, continens per æstimationem duas acras; ac totam illam parcellam terræ nostræ vocatam *the Inner Greene*; et totum illud tenementum nostrum infra præcinctus, ambitum vel circuitum castri de Bristoll' prædicti, modò vel nuper in tenurâ sive occupatione *Johannis Brewer* vel assignatorum suorum; ac totum illud tenementum nostrum modò vel nuper in tenurâ sive occupatione *Johannis Griffith* infra præcinctus castri prædicti; ac totum illud tenementum nostrum cum pertinentiis ibidem modò vel nuper in tenurâ sive occupatione *Thomæ Usher* vel assignatorum suorum; ac totum illud tenementum nostrum cum pertinentiis ibidem, modò vel nuper in tenurâ sive occupatione *Johannis Richard* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis, modò vel nuper in tenurâ sive occupatione *Thomæ Gresham* vel assignatorum suorum; ac totum illud tenemen-

all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *William Pittman* or his assigns; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *John Fisher* or his assigns; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *Edward Duddleston* or his assigns; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *Richard Hooper* or his assigns; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *John Peters* or his assigns; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *Thomas Chilton* or his assigns; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *John Webb* or his assigns; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *John Jenkins* or his assigns; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *Margery Bracy* or her assigns; and all that our tenement in the same place with the appurtenances, now or late

tum nostrum ibidem cum pertinentiis, modò vel nuper in tenurâ sive occupatione *Willelmi Pitmann* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis, modò vel nuper in tenurâ sive occupatione *Johannis Fisher* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis modò vel nuper in tenurâ sive occupatione *Edwardi Duddleston* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis modò vel nuper in tenurâ sive occupatione *Richardi Hooper* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis modò vel nuper in tenurâ sive occupatione *Johannis Peters* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis modò vel nuper in tenurâ sive occupatione *Thomæ Chilton* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis modò vel nuper in tenurâ sive occupatione *Johannis Webb* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis modò vel nuper in tenurâ sive occupatione *Johannis Jenkins* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis modò vel nuper in tenurâ sive occupatione *Margerice Bracy* vel assignatorum suorum; ac totum illud tenementum

in the tenure or occupation of *Christopher Roberts* or his assigns ; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *Henry Morgan* or his assigns ; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *William Wood* or his assigns ; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *William Hollister* or his assigns ; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *Thomas Lucas* or his assigns ; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *John Clarke* or his assigns ; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *Richard Binfeild* or his assigns ; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *William Boyce* or his assigns ; and all that our tenement in the same place, now or late in the tenure or occupation of *William Pittman* or his assigns ; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *William Morris* or his assigns ; and all that our

nostrum ibidem cum pertinentiis modò vel nuper in tenurâ sive occupatione *Christoferi Roberts* vel assignatorum suorum ; ac totum illud tenementum nostrum ibidem cum pertinentiis modò vel nuper in tenurâ sive occupatione *Henrici Morgan* vel assignatorum suorum ; ac totum illud tenementum nostrum ibidem cum pertinentiis modo vel nuper in tenurâ sive occupatione *Willelmi Wood* vel assignatorum suorum ; ac totum illud tenementum nostrum ibidem cum pertinentiis modò vel nuper in tenurâ sive occupatione *Willelmi Hollister*, vel assignatorum suorum ; ac totum illud tenementum nostrum ibidem cum pertinentiis modò vel nuper in tenurâ sive occupatione *Thomæ Lucas*, vel assignatorum suorum ; ac totum illud tenementum nostrum ibidem cum pertinentiis modò vel nuper in tenurâ sive occupatione *Johannis Clarke* vel assignatorum suorum ; ac totum illud tenementum nostrum ibidem cum pertinentiis modo vel nuper in tenurâ sive occupatione *Ricardi Binfeild* vel assignatorum suorum ; ac totum illud tenementum nostrum ibidem cum pertinentiis modò vel nuper in tenurâ sive occupatione *Willelmi Boyce* vel assignatorum suorum ; ac totum illud tenementum nostrum ibidem cum pertinentiis modò vel nuper in tenurâ sive occupatione *Willelmi Pittman* vel assignatorum suorum ; ac totum illud tenementum nostrum ibidem cum pertinentiis modò vel nuper in tenurâ sive occupatione *Willelmi Morris* vel assignatorum

tenement with the appurtenances in the same place, now or late in the tenure or occupation of *Robert Thomas* or his assigns; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *Hugh Smart* or his assigns; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *William Basell* [al' *Bassell*] or his assigns; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *John Haumiers* [al' *Hannies*] or his assigns; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *Robert Hand* or his assigns; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *John Twickham* [al' *Tinkham*] or his assigns; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *William Johns* or his assigns; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *Thomas Lambert* or his assigns; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *William Walters* or his assigns; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupa-

suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis modò vel nuper in tenurâ sive occupatione *Roberti Thomas* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis modò vel nuper in tenurâ sive occupatione *Hugonis Smart* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis, modò vel nuper in tenurâ sive occupatione *Willelmi Basell* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis, modò vel nuper in tenurâ sive occupatione *Johannis Haumier* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis, modò vel nuper in tenurâ sive occupatione *Roberti Hand* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis, modò vel nuper in tenurâ sive occupatione *Johannis Twikham* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis modò vel nuper in tenurâ sive occupatione *Willelmi Johns* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis modò vel nuper in tenurâ sive occupatione *Thomæ Lambert* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis, modò vel nuper in tenurâ sive occupatione *Willelmi Walters* vel assignatorum

tion of *Francis Brewster* or his assigns; and all that our wood-yard in the same place with its appurtenances, now or late in the tenure or occupation of *Edward Weekes* or his assigns; and all that our garden in the same place, now or late in the tenure or occupation of *William Harpe* [alii *Hart*] or his assigns; and all that our garden in the same place with the appurtenances, now or late in the tenure or occupation of *Alexander Rowswell* [alii *Rosewell*] or his assigns; and all that our garden in the same place with the appurtenances, now or late in the tenure or occupation of *Thomas James* or his assigns; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *Josiah Smyth* or his assigns; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *James Jones* or his assigns; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *Robert Phillips* or his assigns; and all that our tenement in the same place, now or late in the occupation of *John Lewis* [or his assigns]: and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *Margaret Jones* or her assigns; and all that

suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis, modò vel nuper in tenurâ sive occupatione *Francisci Brewster* vel assignatorum suorum; ac totum illud *le Woodyard* nostrum ibidem cum pertinentiis, modò vel nuper in tenurâ sive occupatione *Edwardi Weekes* vel assignatorum suorum; ac totum illud gardinum nostrum ibidem modò vel nuper in tenurâ sive occupatione *Willelmi Harpe* vel assignatorum suorum; ac totum illud gardinum nostrum ibidem cum pertinentiis, modò vel nuper in tenurâ vel occupatione *Alexandri Rowswell* vel assignatorum suorum; ac totum illud gardinum nostrum ibidem cum pertinentiis, modò vel nuper in tenurâ sive occupatione *Thomæ James* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis, modò vel nuper in tenurâ sive occupatione *Josiæ Smyth* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis, modò vel nuper in tenurâ sive occupatione *Jacobi Jones* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis, modò vel nuper in tenurâ sive occupatione *Roberti Phillips* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis, modò vel nuper in tenurâ sive occupatione *Johannis Lewis*; ac totum illud tenementum nostrum ibidem cum pertinentiis, modò vel nuper in tenurâ sive occupatione *Margaretæ Jones* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis, modò vel nuper

our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *Samuel Adams* or his assigns; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *William Joy* or his assigns; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *William Billengly* [alii *Billingsley*] or his assigns; and all that our tenement in the same place with the appurtenances, now or late in the tenure or occupation of *Stephen Jones* or his assigns; and also all and singular our houses, buildings, structures, barns, stables, dovecotes, gardens, orchards, gardens, lands, tenements, cottages, halls, chambers, shops, cellars, sollars, entrances, outgoings, roads, paths, void lands, easements, fruits, waters, water-courses, wharfs, profits, commodities, advantages, emoluments and hereditaments whatever, any way regarding, belonging to or dependent on the said premises or any part or parcel of the same, or being heretofore used, occupied, reputed or enjoyed as part, parcel or member of the same or of any of them; and the walls, towers, fosses, banks and ditches inclosing or surrounding the castle aforesaid; which castle above granted by these presents is mentioned to have been demised by our letters patent bearing date at Westminster the

in tenurâ sive occupatione *Samuelis Adams* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis, modò vel nuper in tenurâ sive occupatione *Willelmi Joy* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis, modò vel nuper in tenurâ sive occupatione *Willelmi Billengly* vel assignatorum suorum; ac totum illud tenementum nostrum ibidem cum pertinentiis, modò vel nuper in tenurâ sive occupatione *Stephani Jones* vel assignatorum suorum; necnon omnia et singula domos, ædificia, structuræ, horrea, stabula, columbaria, hortos, pomaria, gardina, terras, tenementa, cottagia, aulas, cameras, shoppas, cellaria, sollaria, introitus, exitus, vias, semitas, vacuos fundos, easiamenta, fructus, aquas, aquarum cursus, wharfæ, proficua, commoditates, advantagia, emolumenta et hæreditamenta nostra quæcunque præmissis prædictis seu alicui eorundem parti vel parcellæ ullo modo spectantia, pertinentia vel appendentia, aut ut pars, parcella, vel membrum eorundem seu eorum alicujus ante hæc usitata, occupata, reputata, seu gavisa existentia; ac muros, turres, fossas, ripas et fossatos castrum prædictum includentes vel ambientes; quod quidem castrum per præsentis præconcessum per literas nostras patentes gerentes datam apud *Westmonast'* vicesimo tertio die Augusti anno regni nostri secundo præfato *Francisco Brewster*



23d day of August in the 2d year of our reign, to the aforesaid *Francis Brewster* his executors and assigns from the feast of St. Michael the archangel which was to be next after the date of the same our letters patent as far as the end of the term and for the term of 80 years from that time next following and fully to be compleated, if *John Brewster*, *Gillian Brewster* and *Nathaniel Brewster* or either one of them should so long live, for or under an annual rent of 100 pounds. **We have** also given and granted and by these presents for us, our heirs and successors for the consideration above mentioned we give and grant to the said mayor, burgesses and commonalty of the city of Bristol aforesaid and their successors our <sup>1</sup>reversion and reversions, <sup>1</sup>remainder and remainders whatsoever of the aforesaid castle, lands, tenements and hereditaments, and of all and singular the other premisses above granted by these presents or before-mentioned to be granted and of every <sup>Remainders and reversions granted.</sup> parcel thereof, <sup>2</sup>dependent or expectant, from, in or upon any demise or grant, demises or grants in any wise made for term or terms of life, lives or years or otherwise, of the premises granted or mentioned to be granted by these premises, or of any parcel of

executoribus et assignatis suis a festo Sti' Michaelis archangeli tunc proximè futuro post datam earundem literarum nostrarum patentium usque ad finem termini et pro termino octoginta annorum ex tunc proximè sequentium et plenariè complendorum, si *Johannes Brewster*, *Gillian Brewster*, et *Nathaniel Brewster* aut aliquis eorum tam diu viverent, pro vel sub annuali reddito centum librarum mentionatur fuisse dimissum. **Dedimus** etiam et concessimus ac per præsentès pro nobis, hæredibus et successoribus nostris pro consideratione prædictà damus et concedimus præfatis majori, burgensibus et communitati civitatis Bristoll' prædictæ et successoribus suis reversionem et reversiones, remanentiã et remanentias nostras quascunque prædicti castri, terrarum, tenementorum et hæreditamentorum et cæterorum omnium et singulorum præmissorum superius per præsentès præconcessorum et præmentionatorum fore concessorum, et cujuslibet inde parcellæ, dependentes vel expectativas de, in, vel super aliquam vel aliquas dimissionem vel concessionem, dimissiones vel concessionem pro termino vel terminis vitæ, vitarum vel annorum,

(1)(1) *Reversion and remainder.*] The difference between a remainder and a reversion is this: a reversion after the appointed term returns to the donor or lessor or his heirs, as to it's fountain; whereas the remainder goes to some third person, as to a stranger. From Spelman's Gloss, voc' *Remanentia*.

(2) *Dependent.*] A remainder *dependent* (or as it is usually called *contingent*) is that which must happen at some time; as when lands are devised to A and his heirs, after the death of B; a remainder *expectant* is one, which perhaps may never happen; as when lands are devised to A if he should outlive B.

Reserved rents  
granted.

the same, being of record or not of record: also [we grant] all and singular the rents and annual profits whatever reserved upon all demises or grants made of the premisses granted or mentioned to be granted by these presents, or of any parcel thereof, being of record or not of record; and the rents and annual profits of all and singular the same premisses and of every parcel thereof. **We have** moreover given and granted, and by these presents for us, our heirs and successors we give and grant to the aforesaid mayor, burgesses and commonalty of the city aforesaid and their successors, that they and their successors hereafter for ever may have, hold and enjoy and may be enabled and empowered to have, hold and enjoy within the said castle, the lands, tenements and hereditaments and all other and singular the premisses before granted or mentioned to be granted by these premises and within every parcel thereof, as many, as great, such, the same, of such sort and the like rights, jurisdictions, liberties, franchises, customs, privileges, profits, commodities, advantages, emoluments and hereditaments whatever, as and as fully, freely and entirely, and in as ample manner and form as any other person or persons ever heretofore having or possessing or being seised of the said castle, lands, tenements and

Full possession of the castle granted.

aut aliter pro [*forsan* de] præmissis per præsentis præconcessis aut mentionatis fore concessis, seu de aliquâ eorundem parcellâ quoquo modo factas, existentes de recordo vel non de recordo: necnon omnia et singula redditus et annualia proficua quæcunque reservata super quibuscunque dimissionibus vel concessionibus de præmissis per præsentis præconcessis aut mentionatis fore concessis, seu de aliquâ inde parcellâ factis, existentia de recordo vel non de recordo; ac redditus ac annualia proficua omnium et singulorum eorundem præmissorum et cujuslibet inde parcellæ. **Dedimus** ulterius et concessimus, ac per præsentis pro nobis, hæredibus et successoribus nostris damus et concedimus præfatis majori, burgensibus, et communitati civitatis prædictæ et successoribus suis, quòd ipsi et successores sui de cætero in perpetuum habeant, teneant et gaudeant ac habere, tenere et gaudere valeant et possint infra prædictum castrum, terras, tenementa, et hæreditamenta et cætera omnia et singula præmissa superius per præsentis præconcessa aut mentionata fore concessa, ac infra quamlibet inde parcellam, tot, tanta, talia, eadem, hujusmodi et consimilia jura, jurisdictiones, libertates, franchises, consuetudines, privilegia, proficua, commoditates, advantagia, emolumenta et hæreditamenta quæcunque, quot, quanta, qualia et quæ ac adèò plenè, liberè et integrè, ac in tam amplis modo et formâ, prout aliquis alius sive aliqui alii prædictum castrum, terras, tenementa et cætera præmissa superius per præsentis

other premisses above granted or mentioned to be granted by these presents or any parcel thereof, ever had, held, used or enjoyed, or ought to have, hold, use or enjoy in the premisses above granted by these presents or in any parcel thereof by reason or by pretext of any charter, gift, grant or confirmation heretofore had, made, granted or confirmed by us or by any of our progenitors or predecessors late kings or queens of England, or by reason or pretext of any act or acts of Parliament, or by reason or pretext of any lawful prescription, use or custom heretofore had or used, or otherwise by any legal method, right or title; and as fully, freely and intirely, and in as ample manner and form, as we or any of our progenitors or predecessors, late kings or queens of England, had and enjoyed or ought to have and enjoy the aforesaid castle, lands, tenements and hereditaments and the other premisses above granted or mentioned to be granted by these presents, or every or any parcel thereof. And we further grant, and by these presents for us, our heirs and successors we grant to the said mayor, burgesses and commonalty of the city aforesaid and to their successors the said castle, lands, tene-

præconcessa aut mentionata fore concessa, aut aliquam inde parcellam unquam ante hæc habentes, possidentes aut seisiti inde existentes, aut habens, possidens aut seisitus inde existens, unquam habuerunt, tenuerunt, usi vel gavisii sunt, seu habere, tenere, uti vel gaudere debuerunt aut debuit in præmissis superiùs per præsentis præconcessis, aut in aliquâ inde parcellâ, ratione vel prætextu alicujus cartæ, doni, concessionis seu confirmationis per nos seu per aliquem progenitorum vel antecessorum nostrorum, nuper regum vel reginarum Angliæ ante hæc habiti, facti, concessi, seu confirmati, aut ratione vel prætextu alicujus actûs parliamenti vel aliquorum actuum parliamenti, aut ratione vel prætextu alicujus legitimæ præscriptionis, usûs, seu consuetudinis antehac habitæ vel usitatæ, aut aliter quocunque legali modo, jure seu titulo; ac adeò plenè, liberè et integrè, ac in tam amplis modo et formâ, prout nos vel aliquis progenitorum vel antecessorum nostrorum nuper regum vel reginarum Angliæ prædictum castrum, terras, tenementa et hæreditamenta et cætera præmissa superiùs per præsentis præconcessa aut mentionata fore concessa, aut quamlibet seu aliquam inde parcellam habuimus et gavisii fuimus aut habuerunt seu gavisii fuerunt, aut habere et gaudere debuimus, aut habere et gaudere debuerunt aut debent. Damus ulteriùs ac per præsentis pro nobis, hæredibus et successoribus nostris concedimus præfatis majori, burgensibus et communitati civitatis prædictæ et successoribus suis prædictum castrum, terras, tenementa, et hæreditamenta ac cætera præmissa superiùs per præsentis præcon-

ments and hereditaments and the other premisses above granted or mentioned to be granted, and every parcel thereof with all their appurtenances, together with all and all manner of banks, ditches, walls and other buildings within the precincts of the said castle or inclosing that castle, as fully, freely and entirely and in as ample manner and form as all and singular the premisses or any part thereof by reason or pretence of any act or acts of Parliament or by reason of any exchange or purchase or of any gift or grant or by reason of any <sup>3</sup> attainder or forfeiture, or by reason of escheat or by any other legal manner, right or title came or ought to have come into our hands or into the hands of any of our progenitors or predecessors late kings or queens of England or to the hands of any one of them, or as they now are or ought to be in our hands: **excepting** nevertheless always and wholly reserving out of this present grant all and every advowsons of churches, of hospitals and chapels and other ecclesiastical benefices, and all knights' fees belonging to the premisses, and all mines of lead and tin, and all and singular other mines royal whatever of the premisses, and all prerogatives touching or be-

Advowsons,  
knights' fees  
and mines ex-  
cepted.

cessa aut mentionata fore concessa, et quamlibet inde parcellam cum eorum pertinentiis universis, unâ cum omnibus et omnimodis ripis, fossatis, muris, et aliis structuris infra præinctus castri prædicti seu castrum illud includentibus adeo plenè, liberè et integrè ac in tam amplis modo et formâ, prout ea omnia et singula præmissa aut aliqua inde parcella ad manus nostras seu ad manus aliquorum progenitorum vel antecessorum nostrorum nuper regum vel reginarum Angliæ, aut ad manus eorum [*dele* vel eorum] alicujus, ratione vel prætextu alicujus actûs parliamenti vel aliquorum actuum parliamenti, aut ratione alicujus excambii vel perquisitionis aut alicujus doni vel concessionis, aut ratione alicujus attinctûs seu forisfacturæ, aut ratione escaetæ, seu quocunque alio legali modo, jure seu titulo devenerunt seu devenire debuerunt, aut in manibus nostris jam existunt seu existere debent vel deberent: **exceptis** tamen semper et extrâ hanc præsentem concessionem omnino reservatis omnibus et singulis advocationibus ecclesiarum, hospitalorum, et capellarum et aliorum beneficiorum ecclesiasticorum, ac omnibus feodis militum, præmissis pertinentibus, ac omnibus mineris plumbi et stanni, ac omnibus et singulis aliis mineris regalibus quibuscunque præmissorum, ac omnibus prærogativis eisdem mineris spectantibus sive pertinen-

(3) *Attainder.*] *Attinctus* from *tingo*, to stain. It is that corruption of blood, which is supposed to follow, after judgment of high treason or felony is pronounced; whereby the person attainted forfeits all his lands, tenements and hereditaments to the king, and he and his posterity are rendered base.

longing to the same mines : **to have**, hold and enjoy the aforesaid castle, lands, tenements, liberties, profits, privileges and hereditaments and all and singular the other premisses before granted or mentioned to be granted above by these presents, with their rights, members, liberties and appurtenances (except things before excepted) to the aforesaid mayor, burgesses and commonalty of the said city and to their successors for the sole and proper use of them, the said mayor, burgesses and commonalty and their successors for ever ; <sup>4</sup>to hold of us and our heirs and successors, as of our manor of East-Greenwich in Kent by fealty only in free and common soccage and not in chief nor by knights' service : **and paying** To be holden in free soccage at a rent of forty pounds per annum. from thence yearly to us, our heirs and successors of fee-farm forty pounds of lawful money of England at the receipt of the exchequer at Westminster of us, our heirs or successors, or into the hands of the receivers or bailiffs of the premisses for the time being, at the feast of St. Michael the archangel and at the annunciation of the blessed virgin Mary in equal portions to be paid yearly for ever, instead of all other rents, services, exactions and demands whatever to be any ways rendered, paid or made for the

tibus ; <sup>4</sup>**Habendum**, tenendum et gaudendum prædictum castrum, terras, tenementa, libertates, proficua, privilegia et hæreditamenta et cætera omnia et singula præmissa superius per præsentis præconcessa aut mentionata fore concessa, cum suis juribus, membris, libertatibus et pertinentiis (exceptis præ exceptis) præfatis majori, burgensibus, et communitati civitatis prædictæ et successoribus suis ad solum et proprium opus et usum ipsorum majoris, burgensium, et communitatis et successorum suorum in perpetuum ; <sup>4</sup> tenendum de nobis, hæredibus et successoribus nostris, ut de manerio nostro de East-Greenwich in comitatu nostro Kant', per fidelitatem tantum in libero et communi soccagio et non in capite nec per servitium militare ; **ac reddendo** inde annuatim nobis, hæredibus et successoribus nostris de feodi firmâ quadraginta libras legalis monetæ Angliæ ad receptum scaccarii nostri Westmonast' hæredum vel successorum nostrorum, vel ad manus receptorum vel ballivorum præmissorum pro tempore existentium ad festum S'ti Michaelis archangeli et annunciationem beatæ Mariæ virginis per æquales portiones annuatim solvendas in perpetuum, pro omnibus aliis redditibus, servitiis, exactibus et demandis quibuscunque proinde

(4)*Habendum, tenendum.*] I have translated these words as they usually are translated, and as they are used every day in deeds, and from thence transferred, in the Liturgy of the Church. Yet surely the translation ought to be in all cases, *to be had and to be holden.*

If the rent  
be in arrear,

The crown  
shall have  
power to dis-  
train.

Forfeiture in  
case of non-  
payment.

same to us, our heirs and successors : and if and as often as it shall happen that the said annual rent reserved above by these presents shall be in arrear unpaid in part or in the whole for the space of forty days after either of the said feasts on which, as is above said, it ought to be paid, that afterward from time to time it shall and may be lawful for us, our heirs and successors by the receiver-general of us, our heirs and successors for the time being or by his deputy or by any other officers of us, our heirs or successors or any one of them to enter into the said premisses or any parcel thereof, and to distrain and to take and keep the distresses there found or to be found, until we, our heirs and successors shall be fully satisfied and paid for the aforesaid rents together with the arrears thereof, if there shall be any : and if and as often as it shall happen, that the said annual rent above reserved by these presents shall be in arrear unpaid in part or in the whole for one month after the end of the said forty days limited for the payment thereof, as is aforesaid, that then and so often the said mayor, burgesses and commonalty and their successors shall forfeit and pay to us, our heirs and successors six pounds, thirteen shillings and four pence of lawful money of England, by way of penalty beside the said annual rent above

[*dele* pro] nobis, hæredibus et successoribus nostris quoquo modo reddendis, solvendis vel faciendis : et si et quoties contigerit prædictum annualem redditum superius per præsentis reservatum à retro fore non solutum in parte vel in toto per spatium quadraginta dierum post aliquod festorum prædictorum, quo, ut præfertur, solvi debeat ; quòd ex tunc de tempore in tempus bene liceat et licebit nobis, hæredibus et successoribus nostris per receptorem generalem nostrum, hæredum et successorum nostrorum pro tempore existentem vel deputatum suum, sive aliquos alios ministros nostros, hæredum vel successorum nostrorum vel eorum aliquem in prædicta præmissa aut aliquam inde parcellam intrare et distringere et distractiones ibidem inventas seu inveniendas capere et retinere, quousque nos, hæredes et successores nostri de prædictis redditibus unà cum arrearagiis inde (si quæ fuerint) plenariè satisfacti et soluti erimus : et si et quoties contigerit prædictum annualem redditum superius per præsentis reservatum à retro fore non solutum in parte vel in toto per unum mensem post finem prædictorum quadraginta dierum pro solutione inde limitatorum, ut præfertur, quòd tunc et toties prædicti major, burgenses et communitas et successores sui forisfacient et solvent nobis, hæredibus et successoribus nostris sex libras, tresdecem solidos, et quatuor denarios legalis monetæ Angliæ, nomine poenæ, ultra

reserved by these presents, every month thereafter next following in which the said yearly rent or any part thereof shall be in arrear and unpaid in manner and form aforesaid; and that then and from thence, from time to time as often as the case shall so happen, it shall and may be lawful for us, our heirs or successors, by the officers of us, our heirs or successors or any of them for the time being, to enter into the said premisses or into any parcel thereof and to distrain and to take and keep the distresses there taken or to be taken, until we, our heirs and successors shall be fully satisfied and paid for the said rent together with the arrears thereof and all forfeitures and sums of money to be forfeited by way of penalty, as is aforesaid; any thing in these presents to the contrary notwithstanding. **And further** we will and for the aforesaid consideration of our more abundant special grace and from our certain knowledge and mere motion for us, our heirs and successors we grant to the aforesaid mayor, burgesses and commonalty of the city aforesaid and their successors, that we, our heirs and successors hereafter for ever yearly and from time to time will discharge, acquit and indemnify as well the said mayor, burgesses and commonalty of the said city and their successors, as the said castle, lands, tenements and hereditaments

Power to dis-  
train.

prædictum annualem redditum superiùs per præsentés reservatum, quolibet mense ex tunc proxime sequente, in quo vel in quibus prædictus annualis redditus, seu aliqua inde parcella, a retro fuerit et insolutus modo et formâ prædictis; et quòd tunc et ab inde de tempore in tempus, toties quoties casus sic acciderit, benè liceat et licebit nobis, hæredibus et successoribus nostris per ministros nostros, hæredum vel successorum nostrorum vel eorum aliquem pro tempore existentes in præmissa prædicta aut in aliquam inde parcellam intrare et distringere ac distractiones ibidem inventas seu inveniendas capere et retinere, quousque nos, hæredes et successores nostri de prædicto reddito unâ cum arrearagiis inde et omnibus forisfactoris et pecuniæ summis, nomine poenæ, forisfaciendis (ut præfertur) plenariè satisfacti et soluti erimus; aliquo in præsentibus in contrarium non obstante. **Et ulterius** volumus ac pro consideratione prædictâ de uberiori gratiâ nostrâ speciali ac ex certâ scientiâ et mero motu nostris pro nobis, hæredibus et successoribus nostris concedimus præfatis majori, burgensibus et communitati civitatis prædictæ et successoribus suis, quòd nos, hæredes et successores nostri de cætero in perpetuum annuatim et de tempore in tempus exonerabimus, acquietabimus, et indemnes conservabimus tam præfatum majorem, burgenses et communitatem civitatis prædictæ et successores suos, quàm prædictum castrum, terras, tenementa, et hæreditamenta superiùs per præsentés præconcessa cum eorum

before granted above by these presents with all their appurtenances with regard to us, our heirs and successors of and from all manner of <sup>3</sup>corodies, rents, fees, services, annuities, pensions, portions, sums of money and burdens whatever issuing or payable to us, our heirs or successors out of the premisses before granted by these presents, or out of any parcel thereof, or charged or to be charged thereupon towards us, our heirs and successors; except from the rent, service and tenure above reserved in these presents for the premisses, and from the aforesaid forfeiture by way of penalty, and except the arrears of the rents of all and singular premisses, if any there be, due and payable to us. **Wherefore** we will and by these presents for us, our heirs and successors strictly enjoining we order and command as well the treasurer, chancellor and barons of the exchequer of us, our heirs and successors, as all and singular the auditors, receivers and other officers and ministers of us, our heirs and successors whatever for the time being, that they and each of them on the sole shewing of these our letters patent or the enrolment of the same, without any wise obtaining or suing for any other writ or warrant from us,

pertinentiis universis versus nos, hæredes et successores nostros de et ab omnimodis corodiis, redditibus, feodis, servitiis, annuitatibus, pensionibus, portionibus, denariorum summis, et oneribus quibuscunque de præmissis per præsentis præconcessis seu de aliquâ inde parcellâ nobis, hæredibus vel successoribus nostris exeuntibus seu solvendis, vel superinde versus nos, hæredes et successores nostros oneratis seu onerandis; præterquam de redditu, servitio et ténurâ superius pro præmissis in his præsentibus reservatis, ac prædictâ forisfacturâ, nomine poenæ, ac præterquam arrearagiis reddituum omnium et singulorum præmissorum, si quæ sint, nobis debitis seu solvendis. **Quare** volumus, ac per præsentis pro nobis, hæredibus et successoribus nostris firmiter injungentes præcipimus et mandamus tam thesaurario, et cancellario et baronibus scaccarii nostri hæredum et successorum nostrorum, quam omnibus et singulis auditoribus, receptoribus et aliis officariis et ministris nostris, hæredum et successorum nostrorum quibuscunque pro tempore existentibus, quòd ipsi et eorum quilibet super solam demonstrationem harum literarum nostrarum patentium vel irrotulamenti earumdem, absque ullo alio breve seu warranto á nobis, hæredibus vel successoribus nostris quoquo modo impetrando seu prosequendo,

(5) *Corodies.*] ' A corody signifieth in our common law a ' whereof he is the founder, toward the reasonable suste-  
' summe of money, or an allowance of meate and drinke due ' nance of such a one of his servants, being put to his pen-  
' to the king from an abbey or other house of religion; ' sion, as hee thinketh good to bestowe it on.' Cowell



our heirs or successors, shall give and from time to time shall cause to be given to the mayor, burgesses and commonalty aforesaid full, entire and due allowance and manifest discharge of and from all and all sorts of such corodies, rents, services, fees, annuities, pensions, portions, sums of money and charges whatever issuing and payable out of the premisses, as is aforesaid, to us, our heirs and successors; except from the rents, services, tenures, forfeitures and other premisses reserved in these presents and payable, as is aforesaid, by the said mayor, burgesses and commonalty and their successors: and these our letters patent or the enrolment of the same shall be a sufficient warrant and discharge in this respect to the said treasurer, chancellor and barons of the exchequer of us, our heirs and successors, and to the said auditors, receivers and other officers and ministers of us, our heirs and successors whatever for the time being. **And further** we will and by these presents for us, our heirs and successors we grant to the said mayor, burgesses and commonalty of the city aforesaid and to their successors, that these our letters patent or the enrolment of the same shall be in and through all things firm, valid, good, sufficient and effectual in law towards and against us, our heirs and successors as well in all our courts as elsewhere within

The king's  
officers shall  
obey this  
charter.

plenam, integram debitamque allocationem et exonerationem manifestam de et ab omnibus et omnimodis hujusmodi corodiis, redditibus, servitiis, feodis, annuitatibus, pensionibus, pertionibus, denariorum summis, et oneribus quibuscunque de præmissis, sic ut præfertur, nobis, hæredibus, et successoribus nostris exeuntibus seu solvendis, præterquam de redditibus, servitiis, tenuris, forisfacturis et cæteris præmissis in his præsentibus reservatis, ac per præfatos majorem, burgenses et communitatem et successores suos, sic ut præfertur, solvendis, præfatis majori, burgensibus, et communitati et successoribus suis facient et de tempore in tempus fieri causabunt: **Et hæ literæ nostræ patentes vel irrotulamentum earundem erunt dictis thesaurario, cancellario et baronibus scaccarii nostri prædicti hæredum et successorum nostrorum, ac prædictis auditoribus, receptoribus, et aliis officariis et ministris nostris, hæredum et successorum nostrorum quibuscunque pro tempore existentibus sufficiens warrantum et exoneratio in hac parte. Et ulterius** volumus, ac per præsentem pro nobis, hæredibus et successoribus nostris concedimus præfatis majori, burgensibus, et communitati civitatis prædictæ et successoribus suis, quod hæ literæ nostræ patentes vel irrotulamentum earundem erunt in omnibus [*supple et*] per omnia firmæ, validæ, bonæ, sufficientes et effectuales in lege erga et contra nos, hæredes et successores nostros

This charter shall be good without any further confirmation, our kingdom of England, without procuring or obtaining any wise for the future any confirmations, licences or tolerations from us our heirs and successors: notwithstanding the ill naming or not naming, the ill reciting or not reciting the aforesaid castle, lands, tenements and hereditaments and the other premisses before granted above by these presents or mentioned to be granted, or any part or parcel thereof: and notwithstanding the ill finding or not finding an <sup>6</sup> office or offices, <sup>6</sup> inquisition or inquisitions of the premisses or of any parcel thereof, by which our title ought to have been found before the making of these our letters patent: and notwithstanding any defect or defects in not reciting or ill reciting or in not mentioning any demise or grant, demises or grants, gift or gifts of record or not of record heretofore made of or concerning the premisses or the custody thereof, or of or concerning any part or parcel thereof; and notwithstanding the ill naming or not naming any county, city, town, hamlet, place or parish, in which the premisses or any parcel thereof are or is: and notwithstanding any defect or defects in ill naming or not naming

tám in omnibus curiis nostris quám alibi infra regnum nostrum Angliæ, absque aliquibus confirmationibus, licentiis vel tolerationibus de nobis, hæredibus vel successoribus nostris quoquo modo in posterum procurandis aut obtinendis: non obstante malè nominando vel non nominando, malè recitando vel non recitando prædictum castrum, terras, tenementa et hæreditamenta, et cætera præmissa superius per præsentis præconcessa aut mentionata fore concessa, aut aliquam inde partem vel parcellam: et non obstante malè inveniando aut non inveniando officium aut officia, inquisitionem sive inquisitiones præmissorum aut alicujus inde parcellæ, per quæ titulus noster inveniri debuit ante confectioem harum literarum nostrarum patentium: et non obstante aliquo defectu sive defectibus in non recitando aut malè recitando vel non mentionando aliquam vel aliquas dimissionem vel concessionem, dimissiones vel concessionem, donum vel dona de vel concernentes præmissa seu custodiam inde, vel de aut concernentes aliquam inde partem vel parcellam de recordo vel non de recordo ante hæc factas: et non obstante malè nominando vel non nominando aliquem comitatum, civitatem, villam, hamlettum, locum, vel parochiam, in quo vel in quibus præmissa vel aliqua inde parcella existunt vel existit: et non obstante aliquo defectu

(6) (6) *Office ... .. inquisition.*] Inquisition is a legal proceeding made for the purpose of ascertaining the king's right or title to certain lands or goods, and the nature and value of such lands or goods. *Finding an inquisition*, which is the expression here used, is giving an answer, or making a return, or finding a verdict in consequence of such inquisition. The word *office* also in this passage, has the same signification as *inquisition*; as in the expressions *to return an office*, *to traverse an office*, *to find an office*.

any of the tenants, farmers or occupiers of the premisses or of any part thereof: and notwithstanding any variation, disagreement or difference in any thing, matter, name or form between these our letters patent, and any inventory or survey of the premisses or of any parcel thereof heretofore made, or between these our letters patent and any other letters patent heretofore made concerning the premisses or concerning any parcel thereof, or any record or records, account or accounts in any way touching or concerning the premisses aforesaid or any parcel thereof: and notwithstanding any defect or defects in not mentioning or not rightly or ill mentioning the true yearly value of the premisses or of any parcel thereof, or the true yearly rent reserved out of, in and on the premisses or any parcel thereof specified in any inventory, survey, account or demise heretofore made of the premisses or of any of them: and notwithstanding that the premisses, or any profits of them or belonging to them or to any of them were ever better or of greater annual value, than specified in these letters patent or in any inventory of the premisses: and notwithstanding the statute made and published in the parliament of the lord Henry the sixth late king of England, our predecessor in the 7<sup>th</sup> 28th year

sive aliquibus defectibus in malè nominando vel non nominando aliquem tenentium, firmariorum, sive occupatorum præmissorum aut alicujus inde parcellæ: et non obstante aliquâ variatione, discrepantiâ sive differentiâ in aliquâ re, materiâ, nomine sive formâ inter has literas nostras patentes et aliquod particulare sive supervisionem de præmissis seu de aliquâ inde parcellâ antehâc factam, aut inter has literas nostras patentes et aliquas alias literas patentes de præmissis aut de aliquâ inde parcellâ antehâc factas, aut aliquod vel aliqua recordum vel recorda, computum vel computos præmissa prædicta aut aliquam inde parcellam quoquomodo tangentes sive concernentes: et non obstante aliquo defectu sive aliquibus defectibus in non mentionando vel non rectè aut malè mentionando verum annualem valorem præmissorum aut alicujus inde parcellæ, aut verum annualem redditum, reservatum de, in et super præmissis aut aliquâ inde parcellâ, specificatum in aliquo particulari, supervisione, computo, vel dimissione ante hæc facto de præmissis, aut eorum aliquo vel aliquibus: et non obstante quòd præmissa vel aliqua proficua inde aut eisdem vel eorum alicui pertinentia unquam fuerunt meliora sive majoris valoris annualis, quàm in his literis patentibus vel aliquo particulari præmissorum specificata: et non obstante statuto in parlamento domini Henrici nuper regis Angliæ sexti, antecessoris nostri, anno regni sui vicesimo

(7) I can find no such statute in that year; but by the 6 Hen' 6, cap' xvi. it is provided that 'no lands or tenements seized into the king's hands shall be granted to ferm, till the inquests or verdicts be returned in the chancery or

of his reign : and notwithstanding the statute made and published in the parliament of the lord Henry the fourth late king of England in the <sup>8</sup>first year of his reign: and notwithstanding any other defects in not rightly naming or in not naming the natures, kinds, sorts, quantities or qualities, metes or bounds of the premisses or of any parcell thereof, or any person or persons who heretofore was or were seized of the premisses or of any of them: and notwithstanding the statute published and provided against putting lands and tenements to <sup>9</sup>mortmain. **And further** we will and by these presents for us, our heirs and successors we enact and ordain, that if the said mayor, burgesses and commonalty of the city aforesaid shall not enroll or cause to be enrolled these our letters patent before our auditor of the county aforesaid or before our <sup>10</sup>clerk of the pipe for the time being within the space of six

octavo facto et edito : et non obstante statuto in parlamento domini Henrici nuper regis Angliæ quarti anno regni sui primo facto et edito : et non obstantibus aliquibus aliis defectibus in non rectè nominando aut non nominando naturas, genera, species, quantitates, aut qualitates, metas vel boundas præmissorum, aut alicujus inde parcellæ, aut aliquem vel aliquos qui antehac fuerunt vel fuit seisitus vel seisiti de præmissis aut eorum aliquo vel aliquibus : et non obstante statuto de terris et tenementis ad manum mortuam non ponendis edito et proviso. **Et ulterius** volumus ac per præsentis pro nobis, hæredibus et successoribus nostris statuimus et ordinamus, quòd si prædicti major, burgenses et communitas civitatis prædictæ non irrotulabunt seu irrotulari causabunt has literas nostras patentes coram auditore nostro comitatûs prædicti vel coram clerico nostro pipæ pro tempore existentibus infra spatium sex mensium proximè sequentium post datam

\* the exchequer; but shall be kept in the king's hands till  
 ' then : and if any letters patent be made to the contrary,  
 ' they shall be holden for none.' And the statute 18 Hen' 6,  
 cap' vi. is as follows : ' Whereas in a parliament holden at  
 ' Westm' the morrow after St. Matth' the apostle, the 8th  
 ' year of the reign of our lord the king that now is, among  
 ' other things it was ordained that no lands or tenements, &c.  
 ' Our said lord the king considering the premisses, and wil-  
 ' ling to provide due remedy in this behalf hath ordained by  
 ' the authority aforesaid, that no letters patent shall be  
 ' made to any person or persons of any lands or tenements  
 ' before inquisition of the king's title in the same be found,  
 ' in the chancery or in his exchequer returned, if the king's  
 ' title in the same be not found of record, nor within the  
 ' month after the same return, if it be not to him or them  
 ' which tender their traverses, as afore is said; and if any

' letters patent be made to the contrary, they shall be void  
 ' and holden for none.' It is probable therefore that *vicesimo*  
*octavo* is an error for *decimo octavo*.

(8) See the note 3, p' 104.

(9) *Mortmain*.] The granting lands to mortmain [a dead hand] is the granting them to any corporation or society. The laws of England have always (though in different ages for different reasons) discouraged such alienations, and many statutes have been made to restrain the practice.

(10) *Clerk of the Pipe*] is an officer in the exchequer, who records the debts due to the king in the great Roll of the Exchequer called *the Pipe*.

months next following the date of these presents, that then the mayor, burgesses and commonalty and their successors shall forfeit and pay to us, our heirs and successors ten pounds of lawful money of England by way of penalty; and so ten pounds for every six months in which these our letters patent shall remain not enrolled; to be levied and collected in the same manner and form, as the said forfeitures by way of penalty mentioned above in these presents are appointed by these presents to be levied and collected. **We will** also and by these presents we grant to the aforesaid mayor, burgesses and commonalty of the city aforesaid, that they may and shall have these our letters patent duly made and sealed by the great seal of England without fine or fee great or small in any wise to be given, paid or made to us in our <sup>11</sup>hanaper or elsewhere on that account for our use: This charter shall be enrolled under a penalty of ten pounds every six months. This charter granted without fee. [<sup>12</sup>strictly commanding all persons that they do not counteract the premisses in any respect] because express mention be not made in these presents of the true yearly value or of the accuracy of the premisses or any of them, or of any other gifts or grants heretofore made by us or by any of our progenitors or predecessors to the said mayor, burgesses and commonalty of the city

præsentium, quòd tunc iidem major, burgenses, et communitas et successores sui forisfacient et solvent nobis, hæredibus et successoribus nostris decem libras legalis monetæ Angliæ (nomine poenæ); et sic decem libras pro quibuslibet sex mensibus in quibus hæ literæ nostræ patentes minimè irrotulatæ remanebunt; levandas et percipiendas eisdem modo et formâ, prout prædictæ forisfacturæ (nomine poenæ) superiùs in præsentibus mentionatæ per præsentem levari et percipi limitantur. **Volumus** etiam ac per præsentem concedimus præfatis majori, burgensibus, et communitati civitatis prædictæ, quòd habeant et habebunt has literas nostras patentes magno sigillo Angliæ debito modo factas et sigillatas, absque fine seu feodo magno vel parvo nobis in hanaperio nostro seu alibi ad usum nostrum proinde quoquo modo reddendo, solvendo, seu faciendo: eo quòd expressa mentio de vero valore annuo aut de certitudine præmissorum vel eorum alicujus, aut de aliis donis sive concessionibus per nos seu per aliquem progenitorum vel antecessorum nostrorum præfatis majori, burgensibus et communitati civitatis prædictæ ante hæc

(11) *Hanaper.*] The Hamper or Hanaper-office is an office belonging to the common-law-court of Chancery. Into this office is paid all money due to the king for the seal of char-

ters, patents, commissions and writs; as also fees to the officers for enrolling and examining the same.

(12) *Strictly commanding.*] See the notes pp' 119 and 104.

aforesaid; or any statute, act, ordinance, provision, proclamation or restriction heretofore had, made, published, ordained or provided to the contrary hereof, or any other thing, cause or matter whatsoever in any wise notwithstanding. **In witness** whereof we have caused these our letters to be made patent. Witness myself at Westminster on the 26th day of October in the sixth year of our reign.

tempora factis in præsentibus minimè facta existit; aut aliquo statuto, actu, ordinatione, provisione, proclamatione sive restrictione in contrarium inde ante hæc habito, facto, edito, ordinato, seu proviso, aut aliquâ aliâ re, causâ vel materiâ quacunque in aliquo non obstante. **In cujus** rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Westm' vicesimo sexto die Octobris anno regni nostri sexto.

## XXXIII.

### CHARTER OF CONFIRMATION, 22 APRIL, 16 CHARLES II. A' D' 1664.

<sup>1</sup>**The King** to all, to whom, &c. sends health. **We** have inspected the letters patent of confirmation of our most dear father the lord Charles the first late king of England made in these words: Charles by the grace of God, &c. *Here follows the Charter Aug' 18, 2 Charles 1, No. 30.* **We** have also inspected certain other letters patent of our most dear father aforesaid made in these words: Charles by the grace of God, &c. *Here follows the Charter 13 Apr', 5 Car' 1, No. 31.* **We** have also inspected certain other letters patent of our most dear father aforesaid made in these words: Charles by the grace of God, &c. *Here follows the Charter 26 Oct', 6 Charles 1, No. 32.* **But we** holding firm and good the separate charters and letters patent aforesaid and all and singular the things contained and specified in the same, do as far as lies in our power for us, our heirs and

### XXXIII. *Carta 22 April' 16 Caroli 2, i' e' 1664.*

**Hec** omnibus ad quos, &c. salutem. **Insuperimus** literas patentes præcharissimi patris nostri domini Caroli primi nuper regis Angliæ de confirmatione factas in hæc verba. Carolus Dei gratiâ, &c. **Insuperimus** etiam quasdam alias literas patentes præcharissimi patris nostri prædicti factas in hæc verba. Carolus Dei gratiâ, &c. **Insuperimus** etiam quasdam alias literas patentes præcharissimi patris nostri prædicti factas in hæc verba: Carolus Dei gratiâ, &c. **Post** autem separatas cartas et literas patentes prædictas ac omnia et singula in eisdem contenta et specificata rata habentes et grata, ea pro nobis, hæredibus, et successoribus nostris, quantum in

(1) This is the charter which contains all the preceding except No. 2, and from which they were copied.

successors accept and approve of them and ratify and confirm them to the now mayor, burgesses and commonalty of the city of Bristol and their successors, as the separate charters and letters patent aforesaid reasonably testify in themselves. **And** further we will and by these presents for us, our heirs and successors we ordain, and strictly enjoining we command, that the mayor [burgesses] aldermen, recorder and common-clerk and all other officers and ministers of our city of Bristol aforesaid and their deputies, and also all justices of the peace of us, our heirs and successors within the said city, to be nominated, chosen or appointed for the future by virtue or according to the tenor of the same letters patent or any other letters patent, before they shall be admitted or in any manner introduced on this behalf, or any one of them respectively shall be introduced to the execution or exercise of the office or offices, place or places in which they shall hereafter respectively be nominated, elected or appointed in form aforesaid, shall give and every one of them shall give as well the corporal oath commonly called *the oath of obedience*, as

nobis est, acceptamus et approbamus, ac ea nunc majori, burgensibus, et communitati civitatis Bristoll' et successoribus suis ratificamus et confirmamus, prout separatæ cartæ et literæ patentes prædictæ in se rationabiliter testantur. **Et ulterius** volumus ac per præsentés pro nobis, hæredibus et successoribus nostris ordinamus et firmiter injungentes præcipimus, quòd major, [~~dele~~ burgenses] aldermanni, recordator et communis clericus et omnes alii officarii et ministri civitatis nostræ de Bristoll' prædictæ et eorum deputati, necnon omnes justiciarii ad pacem nostram, hæredum et successorum nostrorum infra civitatem prædictam, virtute aut secundum tenorem earundem literarum patentium seu aliquarum aliarum literarum patentium in posterum nominandi, eligendi, seu constituendi, antequam ipsi ad executionem sive exercitium officii vel officiorum, loci vel locorum in quo vel quibus sic respectivè in posterum in formâ prædictâ nominati, electi, sive constituti fuerint, admittantur, aut aliqualiter in eâ parte intromittantur, seu eorum aliquis respectivè intromittatur, tam sacramentum corporale communiter vocatum *the oath of obedience*,

(2) *Oaths of obed' and supr'*] *The oath of obedience or of allegiance*, by the most ancient custom and common law of the realm, is due from every subject to the king : the form in use when this charter was granted was settled 3 Jac' 1, in 1606, soon after the gunpowder-plot. *The oath of supremacy*, whereby

the king's supremacy over the church was asserted, was ordained by parliament in 1534, when king Henry 8 abolished the papal power and broke off all connexion with the see of Rome.



the corporal oath commonly called *the oath of supremacy* on the holy gospels of God before such person or persons as are at present appointed and assigned or shall hereafter be appointed or assigned by the law and statutes of this realm of England for giving and offering such oaths. **In witness** whereof, &c. Witness the king at Westminster on the 22d day of April in the 16th year of the reign of king Charles the second.

Mayor, aldermen, &c. shall take the oaths of allegiance & supremacy.

By writ of privy seal.

quám sacramentum corporale communiter vocatum *the oath of supremacy*, super sacrosancta Dei evangelia præstabunt et quilibet eorum præstabit coram tali personâ sive talibus personis, quales et quæ ad hujusmodi sacramenta danda et præstanda per legem et statuta hujus regni Angliæ ad præsens appunctuantur et designantur, aut in posterum appunctuati vel designati fuerint. **In cujus** rei, &c. Teste rege apud Westmon' vicesimo secundo die Aprilis, 3 anno regni regis Caroli secundi sexto decimo.

Per breve de privato sigillo.

(3) *Date.*] Four years after the king's restoration.

## XXXIV.

WRIT OF *Quo Warranto* BROUGHT AGAINST THE OLD CHARTER BY  
SIR ROBERT SAWYER, ATTORNEY GENERAL, FEB' 168 $\frac{3}{4}$ .

*C' Bristoll; to wit.*] **Memorand'** that Robert Sawyer, knight, attorney-general of our lord the king that now is, who on this behalf sues for the same our lord the king, came here in his own person in the court of our said lord the king before the king himself at Westminster on Monday next after the <sup>1</sup>octaves of the Purification of the blessed Virgin Mary in that same term: and for the same our lord the king he gives the court to understand and to be informed, that the mayor, burgesses and commonalty of the city of Bristol in the county of the same city for the space of one month now last past and more, without any warrant or royal commission, within the city of Bristol and county

XXXIV. *Breve de Quo Warranto, anno 168 $\frac{3}{4}$ .*  
*Per indictamentum de termino scilicet Hilarij, 34 et 35 Caroli  
secundi regis anno.*

*C' Bristoll' ss.*] **Memorand'** quòd Robertus Sawyer, miles, attornatus d'ni regis nunc generalis, qui pro eodem domino rege in hâc parte sequitur, in propriâ personâ suâ venit hic in curia dicti domini regis coram ipso rege apud Westm' die lunæ proximo post Octabus Purificationis beatæ Mariæ Virginis isto eodem termino; et pro eodem domino rege dat curiæ hic intelligi et informari, quòd major, burgenses et communitas civitatis Bristoll' in comitatu ejusdem civitatis per spatium unius mensis jam ultimò elapsi et amplius, absque aliquo warranto sive regali commissione infra civitatem Bristoll' et comitatum ejusdem civitatis usi fuerunt et adhuc utuntur, et

(1) *Octaves.*] The eighth day inclusive after any festival is called it's octaves.

of the same city have used and still use, and claim to have and use the liberties, privileges and franchises following; viz' to be of themselves a body corporate and politic in deed, fact and name by the name of the mayor, burgesses and commonalty of the city of Bristol, and by the same name to plead and be impleaded, to answer and be answered: and also to have sheriffs of the said city and county of the same city: and also to choose, nominate and appoint out of themselves two persons yearly to be sheriffs of the said city and county of the same city: and the persons so elected, nominated and appointed to set over and constitute sheriffs of the said city and county of the same city for making and doing execution and return of all writs, precepts and bills of our lord the king for the execution and administration of justice within the said city and county of the same city, and also for doing and executing all and singular those things, which belong to and are incumbent on the office of sheriffs of the said city and county of the same city: and also that the mayor and aldermen of the same city have been justices of our said lord the king for preserving the peace within the same city and county of the same city; and for holding sessions of the peace in and for the city aforesaid and county of the same city, and for holding pleas of the crown in the same place; and for hearing and determining

clamant habere et uti libertatibus, privilegiis, et franchesiis sequentibus; viz. Fore de seipsis unum corpus incorporatum et politicum in re, facto, et nomine, per nomen majoris, burgensium, et communitatis civitatis Bristoll', ac per idem nomen placitare et implacitari, respondere et responderi: ac etiam habere vicecomites civitatis prædictæ et comitatûs ejusdem civitatis: necnon eligere, nominare et appunctuare ex seipsis duas personas annuatim fore vicecomites civitatis prædictæ et comitatûs ejusdem civitatis: ac personas illas sic electas, nominatas, et appunctuatas præficere et constituere vicecomites civitatis prædictæ et comitatûs ejusdem civitatis ad executionem et retentionem omnium brevium, præceptorum et billarum domini regis pro executione et administratione justitiæ infra civitatem prædictam et comitatum ejusdem civitatis faciendam et exequendam, necnon ad faciendum et exequendum ea omnia et singula, quæ ad officium vicecomitum civitatis prædictæ et comitatûs ejusdem civitatis infra civitatem prædictam et comitatum ejusdem civitatis pertinent et incumbunt: necnon quòd major et aldermanni ejusdem civitatis fuerint justiciarii dicti domini regis ad pacem infra eandem civitatem et comitatum ejusdem civitatis conservandam; ac ad sessiones pacis in et pro civitate prædictâ et comitatu ejusdem civitatis tenendas, ac placita

all felonies, trespasses, contempts, riots, routs, and unlawful assemblies within the said city and county of the same city at their pleasure and by their own proper authority without any commission or other authority obtained on this behalf from our lord the king that now is or granted by him: and also to have and hold within the city aforesaid and county of the same city one gaol-delivery, and at their pleasure to take out and deliver the prisoners in the gaol of our lord the king within the city aforesaid and the county of the same city: and also to choose from themselves a common-council consisting of certain citizens of the city aforesaid exceeding the number of <sup>2</sup>fifty persons: and also to have and hold within the said city and county of the same city a certain council-house: and in the same house to hold a certain court or convocation: and in the same council-court to ordain, make and constitute at their own pleasure divers statutes, laws, ordinances and constitutions: and all those who refuse to obey those statutes, ordinances, laws and constitutions to imprison, and to tax and impose fines and ameracements on them on that

coronæ ibidem tenenda; ac ad omnes felonias, transgressiones, contemptus, riotas, routas, et illicita conventicula infra civitatem prædictam et comitatum ejusdem civitatis ad libita-sua et ex auctoritate ipsorum propriâ, absque aliquâ commissione sive aliâ auctoritate à domino rege nunc obtentâ in eâ parte sive concessâ, audiendas et terminandas: necnon habere et tenere infra civitatem prædictam et comitatum ejusdem civitatis unam goalæ deliberationem, et prisonarios in goalâ domini regis infra civitatem prædictam et comitatum ejusdem civitatis ad libita sua exonerare et deliberare: necnon eligere ex seipsis unum commune-concilium consistens de quibusdam civibus civitatis prædictæ, excedens numerum quinquaginta personarum: ac etiam habere et tenere infra prædictam civitatem et comitatum ejusdem civitatis quandam domum-conciliariam: ac in eâdem domo tenere quandam curiam sive convocationem: ac in eâdem curiâ conciliariâ diversa statuta, leges, ordinationes, et constitutiones ordinare, facere et constituere ad libita sua propria: et omnes illos qui statutis, ordinationibus, legibus et constitutionibus illis obedire negarent imprisonare, ac fines et amerçiamenta super ipsos eâ de causâ taxare et imponere, et fines et amer-

(2) *Fifty persons.*] The mayor, &c. in the instrument of resignation which follows, confess this charge to be true; and the council-books of that time will shew that for some years before this time the common-council usually exceeded the number of 43 persons. This however seems to be the only point in which the common-council had deviated from their

charters: to all the other practices charged against them in this writ they had a right; and this they might have been compelled to rectify without the seizure of this charter. It is evident therefore that this deviation only furnished a pretence for the seizure; the real cause was a political one.

account, and to receive, have and convert those fines and amercedments to their own proper uses without making or giving any account thereof to our said lord the king, that now is: with respect to all and singular which liberties, privileges and franchises the same aforesaid mayor, burgesses and commonalty of the city of Bristol aforesaid, and of the county of the same city have usurped during the whole time aforesaid and still usurp over our said lord the king that now is, to the grievous damage of our said lord the king that now is and of his prerogative, and in contempt of our said lord the king that now is, of his crown and dignity, &c. Whereof the same attorney-general of our said lord the king that now is for the same our lord the king seeks the advice of the court here in the premisses and due processes of law against the said mayor, burgesses and commonalty of the city of Bristol aforesaid and of the county of the same city, that they may answer to our said lord the king, by what warrant they claim to have and use the liberties, privileges and franchises aforesaid, &c.

*ciamenta illa ad usus suos proprios recipere, habere et convertere, absque aliquo inde dicto domino regi nunc computo faciendo seu reddendo: de quibus omnibus et singulis libertatibus, privilegiis et franchisesis prædicti iidem major, burgenses et communitas civitatis Bristoll' prædictæ et comitatûs ejusdem civitatis supra dictum dominum regem nunc per totum tempus prædictum usurpaverunt et adhuc usurpant in dicti domini regis nunc et suæ prærogativæ grave damnum, ac in contemptum dicti domini regis nunc coronæ et dignitatis suæ, &c. Unde idem attorney dicti domini regis nunc generalis pro eodem domino rege petit advisamenta curiæ hic in præmissis et debitos legis processus versus præfatos majorem, burgenses et communitatem civitatis Bristoll' prædictæ et comitatûs ejusdem civitatis, ad respondendum dicto domino regi, quo warranto clamant habere et uti libertatibus, privilegiis et franchisesis prædictis, &c.*

SURRENDER OF PRIVILEGES, A' D' 1683.

*In consequence of the preceding Writ, the common-council thought fit to surrender the offices and authorities of themselves and the other officers of the corporation; which was done by the following instrument.*

[Copied from the old translation, p' 202.]

To the King's most excellent Majesty.

**W**e the mayor, burgesses and commonalty of your Majesty's city of Bristol, reflecting upon ourselves that for several years last past we have negotiated all the principal affairs of this city, made all the elections of our mayor, recorder, town-clerk, sheriffs, common-council-men and all other officers whatsoever amongst us by a supernumerary common-council, contrary to the institution of this city by your majesty's royal progenitors in our charters, and contrary to the usage and custom ever since that time till of late years: and that we may have been faulty in that particular, which might justly offend your sacred majesty; and for that there are some defects in the model of the government among us, which renders it not so useful to your sacred majesty or to ourselves as we could wish, we do therefore with all humility beseech your majesty to accept, and we have granted, surrendered and yielded up, and we do hereby grant, surrender and yield up unto your most gracious majesty, your heirs and successors, all and singular the powers, franchises, liberties, privileges and authorities whatsoever, and howsoever heretofore

granted to, or used or exercised by the said mayor, burgesses and commonalty in, for or concerning the electing, nominating, constituting, being or appointing of any person or persons into or for the several respective offices, authorities, places, employments and trusts of the mayor, aldermen, sheriffs, recorder, town-clerk, steward of the sheriff's court, and coroners of the said city, and every or any one of them: or into or for the exercise or execution of them or any of them; with the offices and authorities, place and places of justices of the peace and common-councilmen within the city of Bristol and county of the same city; and all the right, title, interest, claim and demand whatsoever of us the said mayor, burgesses and commonalty of the said city of Bristol of electing, nominating, constituting and appointing the said officers and members and every or any of them by force and virtue of any letters patent, charters, prescriptions, custom, or other ways and means whatsoever. And we the said mayor, burgesses and commonalty do hereby humbly beseech your majesty to accept of this our surrender, and do with all submission to your majesty's good pleasure implore your grace and favour to confirm our charter as to all other privileges and to regrant unto the citizens of this your ancient city of Bristol the said liberties and franchises, or so many of them and in such manner as your majesty in your great wisdom shall judge most conducing for the better government of your city of Bristol. In witness whereof we the said mayor, burgesses and commonalty of the city of Bristol have hereunto set our common seal this ninth day of November in the 35th year of the reign of our sovereign lord king Charles the second by the grace of God of England, &c. annoque Dom' 1683.<sup>1</sup>

(1) The persons who presented this instrument of resignation to the king, were these following;

Sir William Clutterbuck, *mayor*,  
 Sir John Churchill, *recorder*,  
 Sir Richard Hart, *alderman*,

Sir John Knight, junior,  
 Sir Robert Cann, *alderman*,  
 Sir Richard Crumpe, *alderman*,  
 Mr. Thomas Easton, *alderman*,  
 John Romsey, Esq. *town-clerk*.

## XXXVI.

### CHARTER JUNE 2, 36 CHARLES II. A' D' 1684.

**Charles** the second by the grace of God king, &c. to all to whom these presents shall come sends health. **Know** ye, that we graciously affecting the bettering of our city of Bristol and county of the same city, and willing that for the future for ever there may continually be had in the same city and county of the same, one certain and undoubted manner for the keeping of the peace and for the good rule and government of the people therein; and that the city aforesaid hereafter for ever may be and may remain a city of peace and quiet for the reward of the good and the terror of the bad; and that our peace and other acts of justice may be kept therein without further delay; and hoping that if the citizens of the same city and their successors shall be able

### XXXVI. *Carta Junii 2, 36 Caroli 2, i' e' 1684.*

D Con } **Rex** omnibz ad quos &c. saltm. **Sciatis** qd nos melioracoem civitatis  
Bristol Chart' } n're Bristoll' & comitat' ejusdem civitatis gratiose affectantes & volentes quod  
de cetero imppm in eadem civitate & comitat' ejusdem continue h'eatur unus certus & in-  
dubitatus modus pro custod' pacis & bono regimine & gub'nacoe populi ibm et quod  
civitas p'dict' de cetero imppm sit et p'maneat civitas pacis & quietis ad prem' bonor' &  
ferrorem malor' et quod pax nra ceteraq' fact' justicie ibi'm absq' ulteriore dilacoe serventur  
sperantesq' quod si cives ejusdem civitatis & successor' sui amplior' ex concessione n'ra frui

(1) The Bodleian MS going no further than the 16 Charles 2, I have procured a copy of the present charter from the enrolment kept in the chapel of the Rolls in Chancery-lane: where the enrolments of all charters, &c. since the year 1483,

are preserved with the utmost regularity, and where they may be consulted and copies obtained on paying the usual fees.



from our grant to enjoy more ample liberties, profits and privileges, then they may feel themselves more especially and more firmly bound to pay and exhibit their service to us, our heirs and successors; of our special favour and from our certain knowledge and mere motion, and at the humble petition of the late mayor, burgesses and commonalty of the city aforesaid, **we have** willed, constituted, declared, ordained and granted, and by these presents for us, our heirs and successors, we will, constitute, declare, ordain and grant that the said city of Bristol for the future may be and may remain for ever a city incorporated and county by itself, such and in as ample and large borders, circuits and precincts terminated and limited, as the same city and county have been terminated and limited for any time within the space of twenty years last past: and that the citizens and inhabitants of the said city and their successors hereafter for ever may and shall be a body corporate and politic in deed, fact and name by the name of *The Mayor, Burgesses and Commonalty of the city of Bristol*; and we do for ourselves, our heirs and successors by these presents erect, create, make, ordain, constitute and declare them a body corporate and politic in deed, fact and name really and fully by the name of the mayor, burgesses and commonalty of the city of Bristol aforesaid: and that they by the name of the mayor,

The city incorporated.

& gaudere poterint lib'tatibz profic' & privileg' tunc ad servic' nob' hered' & successoribz n'ris impendend' & exhibend' sp'ialius fortiusq' se sentiant obligat' de gra n'ra sp'iali ac ex certa scienc' & mero motu n'ris ac ad humil' peticoem nup' major' burgens' & coitat' civitat' p'dict' **Volumus** constituimus declaravimus ordinavimus & concessimus ac per p'sentes pro nobis hered' & successor' n'ris volumus constituimus declaramus ordinamus & concedimus quod prædict' civitas Bristoll' de cetero sit & p'maneat imppm civitas incorporat' & comitat' de se tal' & in tam amplis & largis finibz circuit' & p'cinct' terminat' & limitat' prout eadem civitas & com' ad aliquod tempus infra spaciū viginti annor' jam ult' elaps' terminat' & limitat' fuerunt et quod cives & inhabitantes d'ce civitatis & successores sui de cetero imppm sint & erunt unū corpus corporat' & politic' in re f'co & nomine per nomen major' burgens' & comunitatis civitat' Bristol' ac eos per nomen major' burgens' & co'itatis civitat' Bristol' p'dict' unū corpus corporat' & politic' in re f'co & nomine realit' & ad plenu' pro nob' hered' & successoribz nris erigimus creamus facimus ordinamus constituimus & declaramus per p'sentes et quod ipsi per nomen major' burgens' et co'itatis civitat' Bristol'

burgesses and commonalty of the city of Bristol aforesaid may and shall be at all future times persons fit and in law capable of, having, purchasing, receiving and possessing lands, tenements liberties, privileges, jurisdictions, franchises and hereditaments, of whatsoever kind or sort they be or may have been, to themselves and to their successors in fee and in perpetuity; and also goods, credits and chattells and all other things, of whatsoever kind, nature or sort they may have been: and also [capable] of giving, granting, demising and assigning manours, lands, tenements and hereditaments, goods, debts, credits and chattells, and of doing and executing all other deeds and things by the aforesaid name of the mayor, burgesses and commonalty of the city of Bristol aforesaid: and that by the same name they may be able and empowered to plead and be impleaded, to answer and be answered, to defend and be defended in all courts, pleas and places, and before all judges and justices and other persons and officers of us, our heirs and successors in all and all manner of actions, suits, complaints, pleas, causes, matters and demands whatever, of whatever kind, nature or sort they be, in the same manner and form as other our liege subjects of this our realm of England, being persons fit and in law capable, are able and empowered to plead and be impleaded, to answer and be answered, to defend and be defended: and that the mayor, burgesses and

p'dict' sint & erint perpetuis futur' temporibus persone habiles & in lege capaces ad habend' p'quirend' recipiend' & possidend' terras ten'ta lib'tates privileg' jurisdiccoes franchises' & hereditament' cujuscunq' sint gener' sive speciei fuerint sibi & successoribz suis in feodo ac in perpetuitate aceciam bona credita & catalla & quascunq' al' res cujuscunq' generis natur' sive speciei fuerint necnon ad dand' concedend' dimittend' & assignand' maneria terras ten'ta & hereditamenta bona debita credita & catalla ac o'ia al' fact' & res faciend' & exequend' per p'dict' nomen major' burgens' & co'itatis civitat' Bristol' p'dict' et quod per idem nomen pl'itare & impl'itari respondere & responderi defendere & defendi valeant & possint in quibuscunq' curiis placeis [*fortasse* placitis] & locis ac coram quibuscunq' judicibz & justitiariis ac al' person' & officiar' n'ris hered' & successorum n'ror' in omnibus & omnimod' accoibz sectis querel' placitis causis mater' & demand' quibuscunq' sint gener' natur' sive speciei eisdem modo & forma prout alii ligei nri hujus regni nri Angliæ p'sone h'iles & in lege capaces pl'itare [*supple* et] impl'itari respondere & responderi defendere & defendi valeant

commonalty of the city aforesaid and their successors may have for ever a <sup>2</sup> common seal to serve for executing and doing all their <sup>They shall have a com-  
mon seal.</sup> causes and affairs whatever; and that it shall and may be lawful for the same mayor, burgesses and commonalty of the city aforesaid and their successors from time to time at their pleasure to break, change and also from time to time to make anew that seal, as shall seem to them best to be done. **And further** we will and by these presents for us, our heirs and successors we ordain, that for the future for ever there may and shall be within the city aforesaid one mayor out of the citizens of the city aforesaid in form specified and expressed below; and for the better <sup>A mayor ap-  
pointed and  
nominated.</sup> execution of our will in this respect we have assigned, nominated, constituted and made and by these presents for us, our heirs and successors we assign, nominate, constitute and make our well-beloved *William Clutterbuck, knight*, to be the first and present mayor of the city aforesaid; willing that the same William Clutterbuck shall be and shall continue in the office of mayor of the same city until the fifteenth day of September next to come, and from thence until one other person shall be made and sworn into

& possint et quod major burgenses & coitas civitat' p'dict' & successores sui h'eant impp'm commune sigillum pro causis & negotiis suis quibuscunq' exequend' & agend' servitur' ac quod bene liceat & licebit eisdem majori burgensibus & co'tati civitat' p'dict' & successoribus suis sigill' illud ad libit' suum de tempore in tempus frangere mutare necnon de novo facere de tempore in tempus prout eis melius fieri & fore videbitur. **Et ulterius** volumus ac per p'sentes pro nobis hered' & successoribus n'ris ordinamus quod de cetero impp'm sit & crit infra civitatem p'dict' unus major de civibz civitat' p'dict' in forma inferius specificat' & express' et pro meliori execucoe voluntatis n're in hac parte assignavimus nominavimus constituimus & fecimus ac p p'sentes pro nob' hered' & successoribus n'ris assignamus nominamus constituim' & facimus dilectm nob' Will'um Clutterbuck mil' fore & esse primum & modern' major' civitat' p'dict' volentes quod idem Will'us Clutterbuck in officio major' ejusd' civitat' erit & continuabit usq' ad decimum quintum diem Septembris prox' futur' et abinde quousq' unus alius ad officium illud p'fectus & juratus fuerit juxta

(2) *Common seal.*] This is the first especial grant of a common seal, although it is mentioned so early as charter 47 Edw' 3; and many seals of our corporation are still extant, 200 or 300 years older than this charter. It appears also that this present grant might have been spared; for to have a common seal is one of those 'rights which are necessarily and inseparably incident to every corporation; which incidents, as soon as a corporation is duly created, are tacitly annexed of course.' Blackstone 1, 475.

Mayor shall have the same authority as heretofore.

He shall take the proper oaths.

that office according to the ordinances and provisions expressed and declared below in these letters patent, if the same William Clutterbuck shall so long live: and that as well the aforesaid William Clutterbuck as every succeeding mayor of the same town may and shall have such and the same power and authority, perquisites and profits in and through all cases in any way belonging and pertaining to the same office, as any preceding mayor of the same city heretofore had or enjoyed or ought to enjoy: he the said William Clutterbuck and every other succeeding mayor of the same city at the time of their admission respectively into the office of the mayoralty of the same city taking the corporal oath called *the oath of allegiance*, and the oaths appointed by a certain act of parliament, intituled *an act for regulating of corporations*, and also all other oaths usually administered to the mayor of the same city within the space of twenty years last past at the time of his admission into the office of the mayoralty of the same city; which oaths we will to be administered to all mayors succeeding the said William Clutterbuck by the mayor of the same town for

ordinacoēs & provisiones in hiis l'ris paten' inferius express' & declarat' si idem Will'us Clutterbuck tam diu vixerit et quod tam p'fat' Will'us Clutterbuck quam quilibet succedens major ejusdem civitat' habeat & habebit tal' & eandem potestat' & autoritat' perquisit' & profic' in omnibus & per omnia ad idem offic' in aliquo modo quocunq' spectan' & p'tinen' qual' aliqu' precedens major ejusdem civitat' antehac habuit sive gavis' fuit vel gaudere debuit ipso p'fato Will'o Clutterbuck & quolibet al' succeden' major' ejusdem civitat' tempore admissionis sue respective in offic' majoralitat' ejusdem civitat' p'stan' sacrament' corporal' ligeancie (anglice vocat' *the oath of allegiance*) & sacra' per quendam act' parliamenti intitulat' (*an act for regulating of corporacoēs*) appunctuat' necnon omnia al' jurament' usualit' administrat' majori ejusdem civitat' infra spacium viginti annor' jam ult' elaps' tempore sue admission' in offic' majoralitat' ejusdem civitat' quequidem sacra' et juramenta omnibus majoribus p'fat' Will'um Clutterbuck succeden' p' ultim' & immediate p'ceden' major' ejusdem civitatis

(3) *Act for reg' corp'.*] This act, 13 Car' 2, stat' ii. c' i. passed in 1661, soon after the king's restoration, ordained that every mayor, alderman, &c. and every other officer in a corporation should be obliged, beside the common oaths of allegiance and supremacy, and a particular declaration against the solemn league and covenant, to take an oath

declaring that it was not lawful on any pretence whatever to take arms against the king, and particularly renouncing the hypocritical pretence, which had been resorted to during the late civil wars, of taking arms by the king's authority against the king himself.

the time being last and immediately preceding, if at that time he shall be surviving and abiding within the same city; or in his absence by the recorder of the same city for the time being, and in his absence by the senior alderman who at that time shall be inhabiting and residing within the same city; [such oaths to be administered] openly and publicly and with the solemnities usually accustomed in these cases in the Guildhall of the same city, if it can conveniently be done; and if not, then in such other convenient place within the liberties of the same city as shall seem best to such person who by these presents is of right designed and appointed to administer such oaths; to which persons so qualified as is aforesaid we give and grant by these presents full power and authority of giving and administering such oaths to all succeeding mayors respectively. **And further** we will and by these presents for us, our heirs and successors, we ordain that hereafter for ever there may and shall be in the city aforesaid and county of the same city two sheriffs, who shall have as great, such and the same power and authority, privileges, profits and jurisdictions in all cases and for all things, as any sheriffs of the said city at any time heretofore have had or enjoyed or ought or have been able to have and enjoy. And for the better execution of our

There shall be  
two sheriffs  
with authority  
as heretofore.

pro tempore existen' si ad tunc supstes & comorans erit infra eandem civitatem aut in ejus absentia per recordator' ejusdem civitat' pro tempore existen' & in ejus absentia per senior' aldermann' qui ad tunc infra eandem civitat' inhan' & residen' erit administrari volumus palam & publice ac cum solemnitat' usual' in hiis casibz consuet' in Guihalda ejusdem civitat' si modo convenienter fieri poterit & si non tunc in tal' al' convenien' loco infra lib'tat' ejusdem civitat' qual' hmoi persone qui per p'sen' de jure humoi sacrament' administrare designat' & appunctuat' melius fore videbitur quibus quidem personis sic qualificat' ut p'fertur humoi sacrament' & jurament' omnibus succeden' majoribus respective dandi & administrandi plenam potestat' & autoritat' damus & concedimus p presentes **Et ult'ius** volumus ac p p'sentes pro nob' hered' & successoribz nris ordinamus quod de cet'o imp'p'm sint & erint in civitate p'dict' & com' ejusdem civitat' duo vicecomites qui tant' tal' & eand' h'eant potestat' & autoritat' privileg' pfic' & jurisdiecon' in omnibus & ad omnia prout aliqui vicecomites dict' civitat' antehac ad aliquod tempus h'uerunt sive gavisii fuerant aut h'ere seu gaudere debuer' aut potuerunt et pro meliori execucoe voluntatis n're in

Sheriffs nomi-  
nated.

will in this respect, we have assigned, nominated, constituted and made, and by these presents for us, our heirs and successors we assign, nominate, constitute and make our beloved *Nathaniel Driver* and *Edmund Arundel*, Esquires, to be the first and present sheriffs of the city and county of the same city aforesaid, to be continued in the office aforesaid until the aforesaid fifteenth day of September next following the date of these presents. And we will that all succeeding sheriffs of the city and county of the same city aforesaid hereafter elected shall at the time of their admission into the office of sheriff of the county of the city of Bristol aforesaid, take and give the corporal oath called the *oath of allegiance*, and the oaths appointed by the aforesaid act of parliament intituled *an act for regulating corporations*; and also all other oaths usually administered to the sheriffs of the same city within the space of twenty years last past, before the mayor of the same city for the time being: to which mayor of the same city for the time being we do for us, our heirs and successors give and grant by these presents full power and authority of giving and administering the oaths aforesaid to all other succeeding sheriffs of the said city hereafter for ever. **And further** we will and by these presents for us, our heirs and successors we give and grant

They shall  
take the pro-  
per oaths.

hac pte assignavimus nominavimus constituim' & fecimus ac p p'sentes pro nob' hered' & successor' n'ris assignamus nominamus constituim' & facimus dil'cos nob' Nathaniel' Driver & Edmund' Arundell Armig'os fore & esse primos & modernos vicecomites civitatis p'dict' continuand' in offic' p'dict' usq' ad p'dict' decimum quintum diem Septembr' p'x sequen' dat' p'sentium et volumus quod omnes succeden' vicecomites civitat' & com' civitat' ejusdem p'dict' imposter' elect' sacra' corporale (Anglice vocat' *the oath of allegiance*) & sacra' p p'dict' act' parliament' intitulat' (*an act for regulating of corporacons*) appunctuat' necnon omn' al' jurament' usualit' administrat' vicecomitibz ejusdem civitat' infra spatium viginti annor' jam ult' elaps' tempore eor'dem admissionis in offic' vicecom' com' civitat' Bristol' pdict' capient & p'stabunt coram majore ejusdem civitat' pro tempore existen' cuiquidem majori ejusdem civitat' pro tempore existen' sacra' & jurament' pdict' quibuslibt al' succeden' vicecomit' civitat' pdict' de cetero imppm dandi & administrandi plenam potestat' & autoritat' pro nob' hered' & successoribz n'ris damus & concedimus p p'sentes **Et ult'ius** volumus ac p p'sentes pro nobis hered' & successor' n'ris

to the said mayor, burgesses and commonalty of the city aforesaid and to their successors, that hereafter for ever there may and shall be in the city aforesaid as many and such of the better and more discreet burgesses and inhabitants of the city aforesaid, who with the mayor and aldermen of the same city shall not exceed the number of forty-three, and with them shall be and shall be called and named the *common-council* of the same city, [who may be] in all things, matters, causes and businesses of the said city touching or concerning the liberties, suburbs and precincts of the same city and the good rule, state and government of the same, from time to time and at all times assisting and aiding the mayor of the same city for the time being in executing all causes and matters touching or concerning the same city. And we have assigned, nominated, constituted and made and by these presents for us, our heirs and successors we assign, nominate, constitute and make our beloved *John Churchill* knight, *Robert Cann* knight and baronet, *John Lawford* esq', *Robert Yeomans* [al' *Yeamans*] knight and baronet, *John Hicks* esq', *William Crabb* esq', *Richard Crump* knight, *Joseph Creswick* esq', *Richard Hart* knight, *Thomas Eston* [al' *Easton*] esq', *William Clutterbuck* knight, *William Hayman* esq', *John Romsey* esq', late common-clerk of the city aforesaid, and also

There shall be  
a common-  
council of  
forty-three  
persons.

The common-  
council nomi-  
nated.

damus & concedimus p'fat majori burgens' & comunitati civitat' pdict' & successor' suis quod de cetero imperpetuum sint & erint in civitate p'dict' tot & tal' de melior' & discretior' burgensibz & inhabitantibz civitat' p'dict' qui cum majore & aldermannis ejusdem civitat' non excedant numer' quadraginta & trium & cum eis erunt & vocabuntur & nominabuntur commune concilium ejusdem civitat' in omibz rebz materijs causis & negotijs civitat' p'dict' libtat' suburb' & p'cinct' ejusdem civitat' ac bon' regimen stat' & gubnacon' eor'dem tangen' seu concernen' de tempore in tempus & ad omnia tempora assisten' & auxilian' majori ejusdem civitat' pro tempore existen' in omnibz causis & materijs eandem civitat' tangen' seu concernen' exequend' et assignavimus nominavimus constituim' & fecimus ac p' p'sentes pro nob' hered' & successoribz n'ris assignamus nominamus constituimus & facimus dil'cos nob' Johem Churchill mil' Robtm Cann mil' & baronett' Johem Lawford ar' Robtum Yeomans mil' & bar' Johem Hicks ar' Willum Crabb ar' Ricum Crump mil' Josephum Creswick ar' Ricum Hart mil' Thomam Eston ar' Willm Clutterbuck mil' Willum Hayman ar' Johem Romsey ar' modo c'em cli'cum

the common-clerk of the city aforesaid for the time being, *John Knight knight, Abraham Sanders, John Combs [alii Coombes], John Moore, William Swimmer [al' Swymmer], Richard Lane, George Hart, Nathaniel Driver, Edmund Arundell, William Merrick, George Morgan, Giles Merrick, John Sandford, James Twyford, Walter Gunter, Robert Dowding, George Morrice [al' Morris], Antony Swimmer, John Yeomans, Edward Tocknell, John Oliffe, Robert Yate, John Whiteing, James Pope, Henry Combs, John Bradway, Robert Smith, John Hollister mercer, Scarborough Chapman and Richard Gibbons gentlemen*, to be and that they may be and shall be and shall be called the common-council of the city aforesaid, to be continued in the said office of the common-council of the city aforesaid during their natural lives respectively. We will nevertheless that every person and persons of the city aforesaid hereafter to be chosen or appointed at the time of their admission respectively into the office of common-council-men of the city aforesaid shall give the corporal oath called the *oath of allegiance*, and the oaths appointed by the aforesaid act of parliament intituled *an act for regulating of corporations*, and also all other oaths usually administered to the common-council-men of the same city within the space of twenty years now last past at the time of their admission

They shall  
take the pro-  
per oaths.

civitat' p'dict' necnon c'oem el'icum civitat' p'dict' pro tempore existen' Johem Knight mil' Abraham Sanders Johem Combs Johem Moore Willm Swimmer Ricm Lane Georgium Hart Nathaniel' Driver Edmund' Arundell Willum Merrick Georgium Morgan Egidium Merrick Johem Sandford Jacobum Twyford Walter' Gunter Robtm Dowding Georgium Morrice Antonium Swimmer Johem Yeomans Edrum Tocknell Johem Oliffe Robtum Yate Johem Whiteing Jacobum Pope Henricum Combs Johem Bradway Robtum Smith Johem Hollister mercer Scarborough Chapman & Ricm Gibbons generos' fore & esse & quod ipsi sint erint & vocabuntur commune concilium civitat' p'dict' continuand' in dict' offic' comunis concilij civitat' p'dict' duran' vitis suis naturalibz respective volumus tamen quod quilibet persona & persone de comuni concilio civitat' p'dict' de cetero eligend' sive constituend' tempore admissionis sue respective in offic' comun' concil' civitat' p'dict' p'stabunt & p'stabit sacrament' corporal' (anglice vocat' *the oath of allegiance*) & sacra' p p'dict' act' parliament' intitulat' (*an act for regulating of corporacons*) ap-punctuat' necnon oia al' jurament' usualit' administrat' comun' consiliarijs ejusdem civitat' infra spatium viginti annor' jam ultim' elaps' tempore eor' admission' in offic'



into the office of common-council-men of the city aforesaid, before the mayor of the said city for the time being, as in this respect has heretofore been usual in the said city. **We** <sup>How vacancies shall be filled up.</sup> also will and by these presents for us, our heirs and successors we ordain and declare that whensoever and as often as it shall happen that some one or more of the common-council of the city aforesaid mentioned and nominated in these presents or hereafter to be nominated and chosen shall die or be removed from the said office of common-council-men, that then and so often the common-council of the said city at the meeting of the common-council next following after such death or removal or the greater part of them so assembled shall be empowered and enabled to elect and make into the office of common-council-man of the said city one or more of the better and discreeter burgesses and inhabitants of the said city in the place of him or them so dead or removed, and by perpetual succession to continue the number of forty-two persons beside the mayor of the said city for the time being. **And further** we will and by these presents for us, our heirs and successors we grant to the said mayor, burgesses and commonalty of the city aforesaid and to their successors, that the common-council of the said city for the time being or the greater

comun' concil' civitat' p'dict' coram majore civitat' p'dict' pro tempore existen' ut in ea parte antehac usitat' fuit in civitat' p'dict' volumus etiam ac p' p'sentes pro nob' hered' & successoribz n'ris ordinamus & declaramus quod quandocunq' ac toties [*lege* quoties] acciderit aliquem vel aliquos de comun' concil' civitat' p'dict' in his p'sentibz menconat' & nominat' aut imposter' noiland' & eligend' obire vel ab offic' p'dict' comun' conciliar' amoveri quod tunc ac quoties [*lege* toties] coe concil' civitat' p'dict' apud assemblacoem communis concilij prox' sequen' post humoi mort' vel amocoem vel major pars eor'dem sic assemblat' unum vel plur' de melior' discretior' burgen' & inhabitantibz civitat' p'dict' in loc' ipius vel in loca ipor' sic mort' vel amot' mortuor' vel amotor' ad offic' de comun' concil' civitat' p'dict' eligere & p'ficere possint & valeant possit & valeat & p' perpetuam succession' continuare numer' quadraginta duor' preter major' civitat' p'dict' pro tempore existen' **Et ulterius** volumus ac p' p'sentes pro nobis hered' & successoribz n'ris concedimus p'fat' majori burgensibz & co'itati civitat' p'dict' & successoribz suis quod commune concil' civitat' p'dict' pro tempore existen' vel

They shall  
have power to  
make laws.

part of them (of whom the māyor for the time being we will to be one) may and shall have full power and authority of framing, constituting, ordaining, making and settling from time to time any reasonable laws, statutes, constitutions, decrees and ordinances whatsoever in writing, which shall seem to them or to the greater part of them collected and assembled for this purpose (of whom the mayor for the time being we will to be one) good, wholesome, necessary and honest according to their sound discretions for the good rule and government of the said city, the suburbs, precincts and liberties of the same, and of all and every the officers, ministers, artificers, inhabitants and residents whatsoever within the city aforesaid, the suburbs, liberties and precincts of the same for the time being; and [of ordaining laws, &c.] for declaring in what manner and order the said common-council of the city aforesaid and all and singular the artificers, inhabitants and residents within the city, liberties, suburbs and precincts of the same shall behave, carry and use themselves in their offices, functions, mysteries, arts and businesses within the said city, the suburbs, liberties and precincts of the same; [of ordaining laws, &c.] for the further public good, common utility and good rule of the said city, the suburbs, liberties and precincts

major pars eor' (quor' major' pro tempore existen' unum esse volumus) h'eant & hebunt plenam potestat' & autoritat' condendi constituendi ordinandi faciendi & stabiliendi de tempore in tempus leges statut' constitucon' decret' & ordinacoes raconabil' in script' quecunq' que eis aut majori pti eor' ad hoc congregat' & assemblat' (quor' major' pro tempore existen' unum esse volumus) bon' salubr' utilia necessaria & honesta juxta eor' sanas discretiones fore videbunt' pro bono regimine & gub'nacoe civitat' p'dict' suburb' p'cinct' & libtat' ejusdem ac omn' & singulor' officiarior' ministr' artifice' inh'itant' & residen' quor'cunq' infra civitat' p'dict' suburb' libtat' & p'cinct' ejusdem pro tempore existen' ac pro declaracone quo modo & ordine p'dict' commune concil' civitat' p'dict' ac omn' & singul' artifices inh'itantes & residentes infra civitat' lib'tat' suburb' & p'cinct' ejusdem in officiis functionibz mister' artifice' & negotijs suis infra civitat' p'dict' suburb' libtat' & p'cinct' ejusdem sese h'ebunt gerent & utentur pro ulteriori bono publico communi utilitate & bono regimine dict' civitat' suburb' lib'tat' & p'cinct' ejusdem ac victualacone eor'dem ac res et causas al' quascunq' civitat' p'dict' suburb' lib'tat' & p'cinct'

of the same, and victualling of the same; and [of ordaining, settling, &c.] all other things and cases whatsoever touching or any ways concerning the said city, the suburbs, liberties and precincts of the same: and that the common-council of the city aforesaid or the greater part of them, (of whom the mayor for the time being we will to be one) as often as they shall have framed, made, ordained or settled such laws, institutions, rights, ordinances or constitutions in form aforesaid, shall be enabled and empowered to make, ordain, impose, limit and provide such and such sort of pains and penalties by imprisonment of the body or by fines and ameracements or by both of them in and upon all persons offending against such laws, ordinances and constitutions or against one or more of them, such as and which shall seem to the said common-council of the city aforesaid for the time being or to the greater part of them (of whom we will the mayor of the city aforesaid for the time being to be one) to be necessary, convenient and requisite for the observation of the same laws, ordinances and constitutions; and the same fines and ameracements by distraining of goods and chattels, by action of debt or otherwise to levy, recover and have to the use of the said mayor, burgesses and commonalty of the city aforesaid and of their successors for ever,

They may impose pains and penalties.

They shall have all fines.

ejusdem tangen' seu quoquo modo concernen' quodq' commune concil' civitat' p'dict' vel major pars eor' (quor' major' pro tempore existen' unum esse volumus) quotiescunq' hmoi leges institucones jura ordinacoēs seu constitucones condiderint fecerint ordinaverint vel stabiliverint in forma p'dict' hmoi & tal' penas punicoēs & penalitat' p' imprisonment' corporis vel p' fines & amerciament' vel p' eor' utrumq' in & sup' omn' delinquen' contra hmoi leges ordinacoēs & constitucones seu eor' aliquod vel aliqua qual' & que p'dict' coi concilio civitat' p'dict' pro tempore existen' vel [*dele* pro] major' pt' eor' (quor' major' civitat' p'dict' pro tempore existen' unum esse volumus) necessar' opportun' & requisit' pro observacone ear'dem legum ordinacōn' & constitucon' fore videbunt' facere ordinare imponere limitare & providere ac eadem fin' & amerciament' p' districcon' bonor' & catallor' accon' debit' vel alit' levare recuperare & h'ere possint & valeant ad usum p'fat' major' burgens' & coitatis civitat' p'dict' & successor' suor' imppm absq' impedimento n'ri' hered' vel successor' nrōr' aut alicujus vel aliquor' officiarior' vel ministror' nrōr' hered' vel successor' nrōr' & absq' compo nobis hered' vel successoribz n'ris' inde

without hindrance of us, our heirs or successors, or of any one or more of the officers or ministers of us, our heirs or successors, and without rendering, paying or making any account thereof to us, our heirs or successors: all and singular which laws, rights, ordinances and constitutions to be made, as is afore said, we will to be observed under the penalties contained in the same: nevertheless so that the laws, ordinances, rights, constitutions, institutions, imprisonments, fines, and amercements be reasonable and be not repugnant or contrary to the laws, statutes, customs or rights of our realm of England. And moreover we will that the common-council of the city aforesaid hereafter for ever may and shall have in all cases, matters and things whatsoever as great and such power, authority and trust, as the common-council of the city aforesaid at any time heretofore had or enjoyed. **Provided** always and we will that the laws, statutes, constitutions or ordinances to be made, as is above said, by the common-council of the city shall not continue or be valid beyond the space of one year next after the making of the same, unless our chancellor or the keeper of our great seal of England for the time being or the chief justices of each bench at Westminster or any two of the same shall approve such laws, statutes, ordinances and constitutions, which shall be made by the common-council of

They shall have as great power as ever heretofore.

Laws must be approved of by the lord chancellor, &c.

reddend' solvend' vel faciend' que omn' & singul' leges jura ordinacoēs & constitucoēs sic ut p'fert' faciend' observari volumus sub pen' in eisdem content' ita tamen quod leges ordinacoēs jura constitucoēs institucoēs imprisonment' fin' & amerciament' sint raconabil' & non sint repugnan' nec contrar' legibz statut' consuetud' sive jur' regni n'ri Angl' aceciam volumus quod commune concil' civitatis p'dict' de cetero inppm h'eant & h'bunt in omnibz causis mater' & rebz quibuscunq' tant' & humoi potestat' autoritat' et fidem quant' commune concil' civitat' p'dict' aliquo tempore antehac h'uit vel gavis' fuit **Proviso** semp & volumus quod leges statut' constitucoēs vel ordinacoēs faciend' ut p'fertur p' commune concilium civitatis non continuabunt aut valida erunt ultra spatium unius anni prox' post confecoem ear'dem nisi cancellarius noster aut custos magni sigilli n'ri Anglie pro tempore existen' aut capital' justiciarii utriusq' banci apud Westmonaster' aut aliqui duo eor'dem approbabunt humoi leges statut' ordinacon' et constitucon' faciend' p' commune concilium civitatis p'dict' pro tempore existen' ut p'fertur legal' & in jure

the city aforesaid for the time being as is mentioned above, to be legal and valid in law; such their approbation being signified in writing under their hands and seals. **And moreover** we will and by these presents for us, our heirs and successors we grant to the mayor, burgesses and commonalty of the city aforesaid for the time being, that the mayor and common-council of the said city for the time being hereafter for ever in and upon the fifteenth day of September next after the date of these presents and also on every fifteenth day of September shall be empowered annually to assemble in the chapel of St. George in the guildhall of the said city (if it be possible) or in some other convenient place within the said city by direction of the mayor of the said city for the time being, and there it shall and may be lawful for the common-council of the said city for the time being or the greater part of them (of whom we will the mayor for the time being to be one) to elect and nominate by <sup>4</sup>majority of voices one out of the common-council of the said city for the time being to be mayor of the city aforesaid for one year next following: and also there and on the same day to elect and nominate two burgesses of

Election of  
the mayor on  
September 15,

valid' esse tal' approbacione sua sub manibus & sigillis suis in script' significand' **Ne insup** volumus ac p' p'sentes pro nob' hered' & successoribz n'ris concedimus majori burgensibz & communitati civitat' p'dict' pro tempore existen' quod major' & commune concil' civitatis p'dict' pro tempore existen' de cetero imppm in & sup' decimum quintum diem Septembris prox post dat' p'sencium necnon quolibet decimo quinto die Septembr' annuatim assemblare valeant in capella Sci Georgij in le Guihalda civitat' p'dict' (si fieri possit) aut in aliquo al' convenien' loco infra civitat' p'dict' p' direccoem major' civitat' p'dict' pro tempore existen' & ibm liceat & licebit communi concilio civitatis p'dict' pro tempore existen' vel major' parti eor' (quor' major' pro tempore existen' unum esse volumus) eligere & nominare p' majoralitem vocum unum ex communi consil' civitat' p'dict' pro tempore existen' fore & esse major' civitat' p'dict' pro uno anno prox sequen' accciam ibm & eodem die eligere & nominare duos burgenses civitat' p'dict' de coi

(4) *Majority.*] This is the only case yet mentioned, in which it is ordained that the major part of the whole common-council, i' e' 22 persons, being met may do any act by a majority of voices: the words in every other case seem to

import that a majority of the whole common-council should be consenting to any act. The stat' 33' Hen' 8, c' 27, seems rather to justify this interpretation.

and of the two  
sheriffs, the said city out of the common-council of the same city or  
not, to be sheriffs of the same city for one year next follow-  
ing: and to elect and nominate all other officers and ministers  
and of the  
other officers. heretofore usually elected and nominated in and upon the fif-  
teenth day of Sept' aforesaid annually by the common-council  
of the said city. And we will and by these presents for us,  
our heirs and successors we grant and declare that such elec-  
tions made or to be made, as is above mentioned, by the  
common-council of the said city at any time hereafter for ever  
may and shall be as firm and effectual as any election or elec-  
tions heretofore made by the common-council of the city  
aforesaid. **And further** we will and by these presents for us,  
our heirs and successors we order, that every person hereafter  
for ever elected to the office of mayor of the city aforesaid, as  
is above mentioned, before his admission into the office of mayor  
of the city aforesaid in and upon the feast of St. Michael the  
archangel next following his election to the office of mayor shall  
publicly give the corporal oath called *the oath of allegiance*  
and also all other oaths appointed by the aforesaid act of par-  
liament, usually administered to the mayors of the city afore-  
said, as is above mentioned, in such place and manner and  
time and before such persons as in these presents is <sup>5</sup>above

The mayor  
shall take the  
proper oaths.

concil' ejusdem civitat' vel non fore & esse vicecomites ejusdem civitat' pro uno anno  
prox sequen' atq' eligere & nominare omn' al' officiar' & ministros antehac usualit' elect'  
& nominat' in & sup decimum quintum diem Septembris p'dict' annuatim p commune  
concil' civitat' p'dict' Et volumus ac p p'sentes pro nob' hered' & successoribz n'ris  
concedimus & declaramus quod tal' eleccoes ut p'fertur fact' vel faciend' p commune  
concil' civitat' p'dict' aliquo tempore de cetero imppm sint & erint tam veget' & efficaces  
quam aliqu' elecco vel eleccoes antehac p commune concil' civitat' p'dict' fact' **Et**  
**ult'ius** volumus ac p p'sentes pro nobis hered' & successoribz n'ris p'cipimus quod  
quelibet psona de cetero imppm elect' ad offic' major' civitat' p'dict' ut p'fertur antequam  
admission' suam ad offic' major' civitat' p'dict' in & sup festum Sci Michis archi p'x  
sequen' eleccoem suam ad offic' major' sacrament' corporal' vocat' the oath of allegiance  
necnon oia al' sacra' p p'dict' act' parliament' constitut' usualit' administrat' majoribz  
civitat' p'dict' ut p'fert' in tal' loco & modo & tempore ac coram tal' pson' publice

(5) (5) Above] i' e' in pp' 248 and 250: why the same thing should be provided a second time, is not apparent.

appointed in this behalf. **Moreover** we will that the sheriffs so elected or to be elected shall, immediately after the oaths The sheriffs shall take the proper oaths. taken by the mayor, be sworn in such place and manner as is <sup>5</sup> above appointed or declared in this respect before the mayor of the said city; to which mayor of the city aforesaid full power and authority of giving and administering the said oaths to the said sheriffs of the city aforesaid and to each of them we give and grant by these presents without any other warrant or commission to be procured or obtained from us, our heirs or successors in this behalf. We also will and by these presents for us, our heirs and successors we grant to the mayor, burgesses and commonalty of the city aforesaid and to their successors, that if it shall happen that the said William Clutterbuck, knight, nominated above by these presents to be mayor of the said city, should die or be removed from that office If the mayor shall die, &c. during his year, during the time of his mayoralty, or if it should happen that any election of mayor of the said city hereafter should be frustrated by the incapacity or refusal of him who has been elected to the office of mayor of the said city, that then and as often as the case shall so happen, it may and shall be lawful for the recorder (if present) or in his absence for the senior alderman of the said city then residing in it and capable thereof

p'stabit prout in p'sentibz in ea pte sup'ius appunctuat' existit **Item** volumus quod vicecomites sic elect' vel eligend' (immediate postquam sacrament' & jurament' p major' p'stit') jurentur in tal' loco & modo ut sup'ius in ea pte appunctuat' sive declarat' existit coram majore civitat' p'dict' cuiquidem majori civitat' p'dict' plenam potestat' & autoritat' dandi & administrandi sacra' & juramenta p'dict' p'fatis vicecomitibz civitat' p'dict' & eor' alteri damus & concedimus p p'sentes absq' aliqu' al' warranto vel commissione a nobis hered' vel successoribz n'ris in ea pte procurand' aut obtinend' Volumus etiam ac p p'sentes pro nob' hered' & successor' n'ris concedimus major' burgensibz & coitati civitat' p'dict' & successoribz suis quod si contig'it p'dict' Willum Clutterbuck milit' sup'ius p p'sentes nominat' fore major' civitat' p'dict' obire vel ab officio illo amoveri duran' tempore majoralitat' sue vel si contigerit aliquam eleccon' major' civitat' p'dict' imposter' frustrari p incapacitatem vel renunciacon' illius ad offic' major' civitat' p'dict' electi quod tunc ac toties [*lege* quoties] casus sic acciderit liceat & licebit recordatori (si p'sen') vel in ejus ausencia senior' aldermann' civitat' p'dict' tunc in ea residenti &

The common-council shall elect another. immediately to call the common-council and to proceed to the election of another person into the office of mayor of the said city in such place and manner, as is more fully expressed and declared above in these presents; and also that he may be sworn in such place and manner and by such person as is aforesaid; and so, as often as the case shall happen. And moreover we will and by these presents for us, our heirs and successors we grant to the mayor, burgesses and commonalty of the city aforesaid and to their successors, that if and as often as it shall happen that a sheriff or sheriffs of the same city for the time being shall die or be removed from the office of sheriff or sheriffs of the said city, or that their offices or the office of either of them by any means should be vacant, that then and so often it may and shall be lawful for the mayor of the city aforesaid for the time being immediately to call the common-council and to proceed to the election of one or more in the place or places of him or them so dead or removed, as is aforesaid: which sheriff or sheriffs so elected shall be sworn in such place and manner and by such person as was before appointed or declared in this behalf. Provided always that every person so elected to the office of mayor, sheriff or sheriffs of the said city respectively on any vacancy, as is above said,

If a sheriff shall die, &c. during his year,

common-council shall elect another.

Such substitute shall not serve longer than the principal would have done.

exinde capaci protinus vocare coe concilium et procedere ad eleccoem alter' psonc in officium major' civitat' p'dict' in tal' loco & modo prout supus in p'sentibz plenius express' & declarat' est necnon juret' in tal' loco & modo & p tal' pson' ut p'dict' est et sic tocies quocias casus sic acciderit **Et ult'ius** volumus ac p p'sentes pro nob' hered' & successor' n'ris concedimus majori burgensibz & coitati civitat' p'dit' & successor' suis quod si ac quoties contigerit vicecomitem vel vicecomites ejusdem civitatis pro tempore existen' obire vel amoveri ab offic' vicecomit' vel vicecomit' civitat' p'dict' vel officia sua sive offic' alterius eor' ullo modo vacari quod tunc ac quoties [*lege* toties] liceat & licebit majori civitat' p'dict' pro tempore existen' protinus vocare commune concil' [*supple* &] procedere ad eleccon' un' vel plur' in locum vel loca ipius vel ipor' sic mortui vel amoti mortuor' vel amotor' ut p'fertur quiquidem vicecomes vel vicecomites sic elect' juretur vel jurentur in tal' loco & modo & p hmoi pson' ut prius in ea p'te appunctuat' sive declarat' fuit Proviso semp quod quelibet p'sona sic elect' ad offic' major' vicecomitis sive vicecomit' civitatis p'dict' respective in aliqua vacantia ut p'fert'



shall continue in such office for such time, and not longer, as the person so dead or removed ought to have continued if he had lived or had not been removed; unless he shall be elected thereto anew in due manner. **And** further we will and by these presents for us, our heirs and successors we grant to the mayor, burgesses and commonalty of the city aforesaid and to their successors, that they and their successors hereafter for ever may and shall have within the city aforesaid one honest and discreet man skilful in the laws of England and a barrister for the space of five years at the least, to be chosen in form mentioned below in these presents, who shall be and shall be called recorder of the city aforesaid: and for the better execution of our will in this respect we have assigned, nominated, <sup>The recorder nominated.</sup> constituted and made and by these presents for us, our heirs and successors we assign, nominate, constitute and make the aforesaid <sup>6</sup>John Churchill, knight, to be the first recorder of the city aforesaid, to be continued in the office of recorder of the

continuabit in tal' offic' pro tal' tempore & non diutius qual' psona sic mort' vel amot' si vixerit vel non amotus fuit continuare debet nisi de novo adinde debito modo electus erit **Et ult'ius** volumus ac p p'sentes pro nob' hered' & successoribz n'ris concedimus majori burgensibz & coitati civitat' p'dict' & successoribz suis quod ipsi & successorss sui de cet'o impm h'eant & h'ebunt infra civitat' p'dict' unum probum & discret' virum in legibz Anglie peritum & barraster' p spatium quinq' annor' ad minimum in forma inferius in hijs p'sentibz menconat' eligend' qui erit & vocabitur recordator civitat' p'dict' et pro meliori execucoe voluntatis n're in hac pte assignavimus nominavimus constituimus & fecimus ac p p'sentes pro nobis hered' & successoribz n'ris assignamus nominamus constituim' & facimus p'dict' Johem Churchill mil' fore & esse primum recordator' civitatis p'dict' continuand' in dict' offic' recordator' civitat' p'dict' durante vita sua natural'

(6) *Sir John Churchill* ] He was of the ancient family of Dorset, an eminent lawyer also, who was grandfather to the Council, and first cousin to John Churchill of Minthorn in great duke of Marlborough.

Matthew Churchill of Bradford	}	— John Ch' —	John Ch' —	Sir Winstone Ch' —	John, Duke of
			of Minthorn.	born in 1620.	Marlborough.
		— Jasper Ch' —	Sir John Ch'		
			Recorder of		
			Bristol,		
			who married		
			the daughter		
			of Edm'		
			Prideaux,		
			Esq.		

The recorder  
shall take the  
proper oaths.

city aforesaid during his natural life; and that he and every other recorder of the said city hereafter to be chosen may have, hold and enjoy all and such sort of powers and authorities, wages, profits and commodities, which the recorders of the said city heretofore had, held and enjoyed, or ought to have, hold and enjoy: provided always and we will that the said John Churchill, knight, and all other recorders of the said city hereafter to be chosen before their admission or admissions shall take the aforesaid oaths directed by the said act of parliament, and also the oaths usually administered and given by the recorders of the same town for the space of twenty years now last past; which oaths aforesaid after the death or removal of the said John Churchill, knight, shall be administered to every succeeding recorder by the mayor of the said city for the time being in the presence of one of the aldermen of the said city for the time being at least; to which mayor we give full power of offering the aforesaid oaths. And moreover we will and by these presents for us, our heirs and successors we grant to the mayor, burgesses and commonalty of the said city and to their successors, that in case of the death or removal of the said John Churchill, knight, or of any other recorder to be chosen hereafter from the office of recorder of the said city,

et quod ipse et quilibet al' recordator civitat' p'dict' imposterum eligend' h'eat teneat & gaudeat h'eant teneant & gaudeant omn' & hmoi potestates & autoritat' vad' profic' & comoditat' que recordatores civitatis p'dict' antehac tempora h'uerunt tenuer' & gavisu fuer' vel h'ere tenere vel gaudere debuerunt proviso semp & volumus quod p'dict' Johes Churchill mil' & omn' al' recordatores civitatis p'dict' imposter' eligend' antequam admission' suam vel admission' suas capiet & capient sacra' p'dict' p p'dict' act' parliament' direct' acetiam sacra' & jurament' p spatium viginti annor' jam ult' elaps' usualiter administrat' & p'stit' p recordator' ejusdem civitat' que sacrament' et jurament' p'dict' post mort' vel amocion' p'dict' Johis Churchill mil' administrat' erunt cuilibet succeden' recordatori p major' civitat' p'dict' p tempore existen' in p'sentia unius aldror' civitat' p'dict' pro tempore existen' ad minimum cuiquidem majori plenam potestat' damus ad sacrament' p'dict' p'stand' Et insup volumus ac p p'sentes pro nob' hered' & successor' n'ris concedimus majori burgensibz & coitati civitatis p'dict' & successoribz suis quod in casu mortis vel amocois p'dict' Johis Churchill mil' vel alicujus al' recordator' imposter'

or in case of any other vacancy of the said office of recorder, that then and in every such case it may and shall be lawful for the mayor and common-council of the said city for the time being or the greater part of them, of whom the mayor for the time being we will to be one, and by these presents we give and grant to the same or to the greater part of them (as is above mentioned) power and authority to elect and nominate one honest and discreet man learned in the laws of England and a barrister for the space of five years, to succeed such recorder so dead or removed as is aforesaid. Provided always and we will that he who is so elected and nominated to the office of recorder of the said city shall not be admitted to give the aforesaid oaths, or shall be admitted to the execution of the office of recorder of the said city, until we, our heirs or successors under the royal hand of us, our heirs or successors shall signify the approbation of us, our heirs and successors to such person so elected (as is above-mentioned) to the office of recorder of the city aforesaid. We will also and by these presents for us, our heirs and successors we grant to the mayor, burgesses and commonalty of the city aforesaid and to their successors, that hereafter for ever there may and shall be twelve aldermen in the said city to be elected and appointed in form mentioned below in these

On a vacancy,  
another recorder shall be  
chosen.

The recorder  
must be confirmed by the  
royal assent.

There shall be  
12 aldermen ;

eligend' ab offic' recordator' civitat' p'dict' vel in casu alterius vacantie dict' offic' recordator' quod tunc & in quolt tal' casu liceat & licebit majori & communi concilio civitat' p'dict' pro tempore existen' vel major' pti eor' (quor' major' pro tempore existen' unum esse volumus) & eisdem vel majori pti eor', ut p'fert' potestat' & autoritat' damus & concedimus p' p'sentes eligere & nominare unum probum & discret' virum in legibz Angl' erudit' & p' spatium quinq' annor' barraster' succedere humoi recordator' sic mort' vel amot' ut p'fert' Proviso semp & volumus quod ille sic elect' & nominat' ad offic' recordator' civitat' p'dict' non admittetur sacrament' & jurament' p'dict' p'stare vel ad execucoem offic' recordator' civitat' p'dict' admissus erit usq' nos hered' vel successores n'ri sub manu regali n'ri hered' vel successor' nrer' significabimus vel significabunt approbacoem nram hered' vel successor' nrer' hmoi p'son' sic ad offic' recordatoris civitat' p'dict' elect' ut p'fertur Volumus etiam ac p' p'sentes pro nobis hered' & successoribz n'ris concedimus majori burgensibz & comunitat' civitat' p'dict' & successoribz suis quod de cetero imppetuum sint & erunt duodecim aldri in civitate p'dict' in forma inferius in

Who shall be  
justices of the  
peace,

and have the  
same powers  
as heretofore.

The recorder  
and eleven  
others nomi-  
nated to be  
aldermen.

presents, who may and shall be keepers and justices of the peace of us, our heirs and successors within the said city, the suburbs, liberties and precincts of the same: and that they and the aldermen of the same city for the time being may have, hold and enjoy and every one of them respectively may have, hold and enjoy as great, such, the same and such sort of powers and authorities, which the aldermen of the same city at any time before the date of these presents had, held or enjoyed or ought or were able to have, hold and enjoy. And for the better execution of our will in this respect we have assigned, nominated, constituted and made and by these presents for us, our heirs and successors we assign, nominate, constitute and make the said John Churchill, knight, above-mentioned in these presents to be recorder of the said city, to be the first alderman of the said city: and we will that hereafter for ever every recorder of the said city for the time being may and shall be the first and senior alderman of the said city. Moreover we have assigned, nominated, ordained, constituted and made, and by these presents for us, our heirs and successors we assign, nominate, ordain, constitute, and make the said Robert Cann, knight and baronet, John Lawford,

hijis presentibus menconat' eligend' & constituend' qui sint & erunt conservatores et justiciarii ad pacem nram hered' & successor' nror' infra civitat' p'dict' suburb' libtat' & p'cinct' ejusdem et quod ipsi & aldermanni ejusdem civitatis pro tempore existen' h'eant teneant & gaudeant & eor' quilibet respective h'eat teneat & gaudeat tant' tal' eadem & humoi potestat' & autoritat' quas aldermanni ejusdem civitat' aliquo tempore ante dat' p'sentium h'uerunt tenuerunt vel gavisu fuerunt aut h're tenere vel gaudere debu-erunt aut potuerunt Et pro meliori execucoe voluntatis n're in hac pte assignavimus nominavimus constituimus & fecimus ac p p'sentes pro nob' hered' & successoribz n'ris assignamus nominamus constituimus & facimus p'dict' Johem Churchill mil' in hijis p'sentibz supius menconat' fore & esse recordator' civitat' p'dict' fore & esse primum aldermannum civitatis p'dict' et volumus quod decetero imppm quilibet recordat' civitatis p'dict' pro tempore existen' sit & erit primus & senior aldrus civitatis p'dict' Necnon assignavimus nominavimus ordinavimus constituimus & fecimus ac p p'sentes pro nob' hered' & successoribus n'ris assignamus nominamus ordinamus constituimus & facimus p'dict' Robtum Cann mil' & baronett' Johem Lawford Robtum Yeomans mil' &

Robert Yeomans, knight and baronet, John Hicks, William Crabb, Richard Crump, knight, Joseph Creswick, Richard Hart, knight, Thomas Eston, William Clutterbuck, knight, and William Hayman to be the other aldermen of the said city, to continue in the said office of aldermen of the city aforesaid during their natural respective lives, the aforesaid oaths for the due execution of the office of alderman of the said city being first respectively given. We will also and by these presents for us, our heirs and successors we grant to the mayor, burgesses and commonalty of the city aforesaid and to their successors, that if and as often as it shall happen that any one or more of the aldermen of the said city for the time being hereafter shall die or be removed from the office of alderman of the said city, it may and shall be lawful for the mayor of the said city for the time being to summon all the other aldermen of the said city for the time being to assemble in the guildhall in the said city, and there the mayor and aldermen of the same city for the time being or the greater part of them (of whom the mayor for the time being we will to be one) shall elect and nominate and shall be empowered and enabled to elect and nominate one or more of the common-council-men of the city aforesaid for the time being to succeed to the place or places of alderman or aldermen of the

Manner of  
electing alder-  
men.

baronet' Johem Hicks Willum Crabb Ricum Crump mil' Josephum Creswick Ricum Hart mil' Thomam Eston Willum Clutterbuck mil' & Willum Hayman fore & esse alteros aldros civitat' p'dict' continuand' in dict' offic' aldermann' civitat' p'dict' duran' vitis suis natural' respectivis sacra' p'dict' & jurament' pro debita execucoe offic' aldermann' civitat' p'dict' prius respective p'stit' Volumus etiam ac p' presentes pro nobis hered' & successoribz n'ris concedimus majori burgensibus & coitati civitat' p'dict' & successoribz suis quod si ac toties acciderit aliquem vel aliquos de aldri civitat' p'dict' pro tempore existen' imposter' obire vel ab offic' alderman' civitat' p'dict' amoveri liceat & licebit majori civitat' p'dict' pro tempore existen' summonire omni' al' aldermannos civitat' p'dict' pro tempore existen' ad assembland' in Guihalda infra civitat' p'dict' & ibidem major et aldermanni ejusdem civitatis pro tempore existen' vel major pars eor' (quor' major' pro tempore existen' unum esse volumus) eligant & nominabunt & eligere & nominar' possint & valeant possit & valeat un' vel plur' ex comun' consiliar' civitatis p'dict' pro tempore existen' succedere in locum sive loca aldermanni vel aldror' civitat' p'dict' sic mortui vel

The aldermen  
shall be resi-  
dent.

city aforesaid so dead or removed, as is above mentioned. And we will that every person so elected or to be elected to the office of alderman of the same city shall take and give the oaths aforesaid before the mayor and recorder of the same city for the time being. And also we will that all the aldermen of the city aforesaid for the time being, the recorder excepted, shall be resident within the said city, the suburbs, liberties, and precincts of the same. **And moreover** we will and by these presents for us, our heirs and successors we grant to the mayor, burgesses and commonalty of the said city and to their successors, that if any person or persons nominated in these presents or who in future shall be in due manner elected to the separate offices of mayor, alderman, sheriff or common-council-man of the said city, shall happen to die or refuse to exercise the office or offices or trust to which by these presents they are nominated and appointed, or to which they shall hereafter in due manner respectively be elected, or shall voluntarily be absent at the time or times in which he or they ought to be sworn in manner and form aforesaid to and into their respective offices and trusts aforesaid, that then and in every such case it may and shall be lawful for the mayor and common-council of the city aforesaid for the time being or the

If any persons  
refuse to serve,

amoti mortuor' vel amotor' ut p'fertur Et volumus quod quelibet persona sic ad offic' alderman' ejusdem civitat' elect' vel eligend' capiet & p'stabit sacra' & jurament' p'dict' coram majore & recordator' ejusdem civitatis pro tempore existen' Accediam volumus quod omn' aldermanni civitatis p'dict' pro tempore existen' (recordatore except') residentes erunt infra civitat' p'dict' suburb' libtat' & p'cinct' ejusdem **Et insup** volumus ac p p'sentes pro nob' hered' & successoribz n'ris concedimus majori burgensibz & comunitati civitat' p'dict' & successoribz suis qd si aliqua psona vel alique psone in his p'sentibus nominat' vel que imposter' debito modo elect' erit vel electe erunt ad sepal' offic' major' aldermann' vicecomit' vel comun' conciliar' dict' civitat' contig'it vel contigerint obire vel renunciare exercere offic' vel officia & fidem ad quod vel que p p'sentes nominat' & appunctuat' sunt vel [*supple* ad] que imposter' debito modo respective electe fuerint vel voluntarie abesse tempore vel temporibz quo vel quibz jurari debent vel debet modo & forma p'dict' ad & in respectiva officia & fid' sua p'dict' quod tunc & in quolibet tal' casu liceat & licebit majori & comuni concilio civitat' p'dict' pro tempore existen' vel

greater part of them, (of whom the mayor of the said city for the time being we will to be one) and to the same or to the greater part of them, as is above said, we give and grant by these presents power and authority to impose a reasonable fine not exceeding in the whole the sum of five hundred pounds of lawful money of England on every person respectively so refusing or not accepting the said offices or voluntarily absenting himself as is before-mentioned; and also to <sup>7</sup>commit him to prison until the payment thereof, according to the ancient custom of the city aforesaid; and to choose and nominate one or more persons according to the directions and regulations mentioned and expressed in these presents, to fill up and to succeed into the place and office or places and offices of him or them so dead, refusing, not accepting or voluntarily absenting himself or themselves, as is above mentioned. Provided always and we will that if any person so elected or to be elected to any of the aforesaid offices shall voluntarily swear before the mayor and two of the aldermen of the said city for the time being, that he does not *bona fide* possess property to the amount of two thousand pounds of lawful money of England, the person so elected and sworn, as is aforesaid, shall be

they shall be fined to the amount of five hundred pounds,

and committed to prison until payment.

Persons not possessing two thousand pounds shall be discharged.

major' pti eor' (quor' major' civitat' p'dict' pro tempore existen' unum esse volumus) et eisdem vel majori pti eor' ut p'fertur potestat' & autoritat' damus & concedimus p'p'sentes imponere raconabil' fin' non exceden' in toto summam quingent' libr' legal' monet' angl' in qmlt pson' offic' p'dict' respective sic recusantem non acceptantem vel voluntarie sese absentem ut p'fert' necnon eam ad prison' comittere usq' soluconem inde scdm antiqu' consuetud' civitat' p'dict' atq' eligere & nominare un' vel plur' person' scdm direccoos & regulacoos in his p'sentibz menconat' & express' supplere & succedere in loc' & offic' vel in loca vel officia ipius vel ipor' sic mortui recusantis non acceptantis vel voluntarie se absentis mortuor' recusan' non acceptan' vel voluntarie se absen' ut p'fertur Proviso semp & volumus quod si aliqua p'sona sic elect' vel eligend' ad aliqu' officior' p'dict' voluntarie coram majore & duobz aldermannor' civitat' p'dict' pro tempore existen' jurabit se non h'ere vel possidere bona fide opes real' & p'sonal' ad valor'

(7) *Commit to prison.*] This by the opinion of Holt Ch' J' and the other judges seems warrantable, 1 Salk' 397; and see 2 Lord Ray' 1246.—But in Jenk' Rep' fo' 79, it is laid down to be a void custom; for which he relies on 5 Co' Re' 64,

Clarke's case. But that was where the bye-law inflicted imprisonment in the first instance for disobedience. Note the difference between that case and the case here. Foster.

wholly discharged and exempted from the fines, penalties and imprisonments aforesaid. **And further** we will and by these presents for us, our heirs and successors we grant to the mayor, burgesses and commonalty of the city aforesaid and to their successors, that the mayor and aldermen of the same city for the time being from time to time hereafter may and shall be justices of us, our heirs and successors within the city and county aforesaid for inquiring more fully into the truth, by the oaths of honest and lawful men of the county and city of Bristol aforesaid as well within liberties as without by whom the truth of the matter may be better known, concerning all treasons, murders, rapes of women, and other felonies whatsoever, concerning all trespasses, riots, routs, unlawful assemblies, embraceries, maintenances, ambidextries, <sup>8</sup> trespasses, regratings and forestallings done and committed and which shall happen henceforth to be done and committed by whomsoever and howsoever within the county, city, precincts and liberties of Bristol aforesaid; and also concerning those persons who have lien in wait or hereafter shall presume to lie in wait to maim or kill our people; and also concerning those who in the county,

Mayor and aldermen shall be justices for various purposes.

duor' mille librar' legal' monet' Angl' psona sic elect' & juratus ut p'fert' exon'at' & exempt' sit & erit omnino a fin' penalitat' & imprisonment' p'dict' **Et ult'ius** volumus ac p' p'sentes pro nobis hered' & successoribz n'ris concedimus majori burgensibz & coitati civitat' p'dict' & successoribz suis quod major & aldermann' ejusdem civitat' pro tempore existen' de tempore in tempus futur' temporibus sint & erunt justitiarij n'ri hered' & successor' n'ror' infra civitat' & com' p'dict' ad inquirend' p' sacrament' probor' & legal' hominu' de coitat' & civitat' Bristoll p'dict' tam infra libtat' quam extra p' quos rei v'itas melius sciri pot'it de omnibz prodiconibz murdr' raptibz mulier' & al' felon' quibuscunq' de quibuscunq' transgress' riot' rout' conventicul' illicit' imbrac' manutenc' ambidextris transgress' regrad' & forestall' infra com' civitat' p'cint' & libtat' Bristoll' p'dict' per quoscunq' & qual'it'cunq' fact' sive ppetrat' & exnunc fieri sive perpetrari contingen' aceciam de hijs qui in insidijs ad gentem nram mahemand' vel interficiend' jacuer' seu exnunc jacere p'sumpser' etetiam de hijs qui capicijs & al' lib'tat' de unica sect' p' confederacon' et pro manutenc' contra defens' & formam aliquar' ordinacon'

(8) *Ambid', trespasses.*] By consulting the charter 29 Eliz' it will appear that a line is here omitted p' 194, from whence the present charter is literally copied,



city and liberties of Bristol aforesaid have used caps and other liveries of one suit by confederacy and for maintenance contrary to the prohibition and form of certain ordinances or statutes heretofore made thereupon, and concerning those who shall hereafter use any such caps and liveries; and also concerning all and singular those persons, who within the county, city, precincts, and liberties of Bristol aforesaid have in any wise offended against the form of the ordinances and statutes aforesaid or of any of them, or shall hereafter presume to attempt any thing to the contrary thereof; and also for inquiring [more fully into the truth] concerning any sheriffs, bailiffs, constables, and keepers of gaol, who have behaved themselves improperly or hereafter shall presume to behave themselves improperly, or have been lukewarm, remiss or negligent and hereafter shall happen to be lukewarm, remiss or negligent within the county, city, precincts and liberties of Bristol aforesaid in the execution of their offices towards artificers, servingmen, labourers, victuallers, innkeepers, beggars and vagabonds and other persons aforesaid whatsoever according to the form of the ordinances and statutes aforesaid; and concerning all and singular the articles and circumstances any wise relating to all and singular the premisses; and concerning other things whatsoever and howsoever done or committed and which hereafter shall happen to be done or attempted in the same place

and may enquire into the conduct of sheriffs, &c.

sive statutor' inde antehc tempora fact' in com' civitat' & libtat' Bristoll' p'dict' usi fuerunt & al' hmoi capicijs & libtat' imposter' utend' necnon de omnibus & singul' hijs qui infra com' civitat' p'cinct' & libtat' Bristol' p'dict' contra form' ordinacon' & statutor' p'dict' seu eor' alicujus in aliquo delinquerent aut exnunc aliquid in contrar' inde attemptar' p'sumpser' necnon ad inquirend' de quibusdam vicecom' ballivis constabular' ac custodibz gaole qui infra com' civitat' p'cinct' & libtat' Bristol' p'dict' in execucoe offic' suor' erga artifices servitor' laborator' vitellar' hostell' mendicant' & vagabund' ac al' p'dict' quoscunq' juxta form' ordinacon' & statut' p'dict' indebite se h'uerunt & exnunc indebite se h'ere p'sumpser' aut tepidi remissi vel negligen' fuerunt & exnunc tepidos remiss' vel negligent' fore contigerit et de omnibz & singul' articul' & circumstanc' p'miss' omn' & singul' qual'cunq' concernen' ac al' contra form' ordinacon' & statut' p'dict' quecunq' & qual'cunq' fact' sive perpetrat' & que exnunc ibm fieri vel attemptari contigerit plenius

and may inspect all indictments and proceed thereon;

contrary to the form of the ordinances and statutes aforesaid ; and also for inspecting all indictments whatever, as well those taken and not yet terminated before the same justices of us, our heirs and successors or any of them or before others late keepers of the peace and justices of us or of the late kings Edward the fourth, Edward the fifth, or of Richard the third late king of England appointed for hearing and terminating such trespasses and misdeeds in the county, city, liberties and precincts of Bristol aforesaid by virtue of divers letters patent of us or of the said lords Edward, Edward and Richard or of either of them made to them and to any other persons whatever in the county, city, liberties and precincts of the same ; as [indictments] taken or to be taken before the aforesaid mayor, recorder and aldermen, eleven, ten, nine, eight, seven, six, five, four and three of them (of whom the mayor or recorder of the same city for the time being we will to be one) justices of us, our heirs and successors ; and for making and continuing process and processes thereupon against all others who shall happen hereafter to be indicted for the premisses or any of the premisses before the same justices of us, our heirs and successors, until they be taken surrendered or outlawed ; and also for hearing as well at our suit as at the suit of any

veritat' necnon ad omn' indictament' quecunq' tam coram eisdem justiciar' n'ris hered' & successor' n'ror' seu eor' aliquibus aut al' nup custod' pacis & justiciar' n'ris [*supple* aut] nup regum Edri quarti Edri quinti aut Rici nup regis Angl' tertij ad humoi transgress' & malefact' in com' civitat' libtat' & p'cinct' Bristol' p'dict' audiend' & terminand' assign' virtute div'sar' lrar' paten' [*supple* nostrarum] aut d'cor' d'nor' Edri Edri & Rici seu eor' alicujus eis ac al' quibuscunq' personis in com' civitat' libtat' & p'cinct' ejusdem fact' [*supple* capta] & nonđum terminat' quam coram p'dict' major' recordator' & aldermann' undecim decem novem octo septem sex quinq' quatuor & tribz eor' (quor' major' vel recordator' ejusdem civitat' pro tempore existen' unum esse volumus) justic' n'ris hered' & successor' n'ror' capt' vel capiend' inspiciend' ac ad process' inde ac processus versus omnes al' quos coram eisdem justic' n'ris hered' & successor' n'ror' de p'missis vel aliquo p'missor' decet'o indictar' contig'it quousq' capiant' reddantur vel utlagantur faciend' & continuand' necnon omn' & singul' que contra form' ordinacon' & statut' p'dict' seu in enervacoem eor'dem seu eor' alicujus infra com' civitat' libtat' & p'cinct' Bristol' p'dict'

other persons whatever who may be willing to be plaintiffs or to prosecute before the same justices for us, our heirs or successors or for themselves, and according to the law and custom of our kingdom of England and according to the form of the ordinances and statutes aforesaid for determining in as ample manner and form as any other justices of the peace of us, our heirs and successors any where else in any other county of our kingdom of England are or shall be able to hear and determine all and singular things which have been done, committed or attempted contrary to the form of the ordinances and statutes aforesaid or the weakening of the same or of any of them within the county, city, liberties and precincts of Bristol aforesaid, and which hereafter shall happen to be done, committed, or attempted in the same place; and also [for hearing and determining] the trespasses and forestallings aforesaid and all other things not declared above to be determinable at our suit only, and all other things which by virtue of any ordinances and statutes ought to be discussed and determined by such keepers of the peace of us, our heirs and successors, and such justices of us, our heirs and successors; and for chastising and punishing all who may offend against the form of the ordinances and statutes aforesaid or any of them by fines, redemptions, amercements and other means according to their

and may hear  
and determine  
all things as  
other justices  
do;

and may fine  
delinquents.

fact' ppretrat' sive attemptat' fuer' et que ibm imposter' fieri perpetrari seu attemptari contigerit tam ad sectam nram quam al' quor'cunq' coram eisdem justic' pro nobis hered' aut successor' n'ris aut pro seipis conqueri vel prosequi volen' audiend' ac scdm legem & consuetud' regni n'ri Angl' ac juxta form' ordinacon' & statutor' p'dict' terminand' in tam amplis modo & forma prout aliqui al' justic' pacis n're hered' & successor' nror' alibi in aliquo al' com' regni n'ri Angl' audir' & t'minar' possint seu poterint necnon transgress' & forstall' p'dict' ac omnia al' supius ad terminand' non declarat' ad sectam nram tantum & omnia al' que virtute aliquar' ordinacon' & statutor' p' custod' pacis n're hered' & successor' nror' ac justic' nros hered' & successor' nror' humoi' discuti & terminari debent audiend' & terminand' et ad quoscunq' contra form' ordinacon' & statut' p'dict' seu eor' alicujus delinquen' p fines redempcoes amerciamen' ac al' modo pro delictis suis castigand' & puniend' prout ante ordinacon' de punicoe corporal' hmoi'

Mayor and  
commonalty  
shall have all  
fines, &c.

offences, as used to be done before the ordinance made concerning the inflicting of corporal punishment on such delinquents according to their offences; [and also] for doing or exercising, hearing or determining [all other things which] belong or shall belong [to the office of justice of our peace] elsewhere within our kingdom of England: **And that** the mayor, burgesses and commonalty of the city aforesaid for the time being and their successors for ever may have all and all manner and singular the fines, redemptions, issues, forfeitures and ameracements to be made, assessed, forfeited and adjudged from time to time during all future times before the said justices and any of them; and that it shall be lawful for the said mayor, burgesses and commonalty of the city aforesaid and their successors from time to time, as often as shall be needful, to collect and levy by the sheriffs or other officers of the same city of Bristol, who now are and who for the time shall be, to the use of the said mayor, burgesses and commonalty of the city aforesaid and of their successors, all and singular such issues, forfeitures, fines, redemptions and ameracements adjudged and to be adjudged or to be assessed; and

delinquent' pro delictis suis exhibend' fact' fieri consuet' alibi infra regnum Angl' p'tinen' seu p'tinebunt faciend' aut exercend' audiend' seu terminand' **Et quod** major' burgens' & coitas civitat' p'dict' pro tempore existen' & successor' sui imperpetuu h'eant oia & oiod' & singul' fines redempcoes exit' forisfactur' & amerciamen' coram p'fat' justiciar' & eor' quoli'bt de tempore in tempus perpetuis futur' temporibz duratur' faciend' assidend' forisfaciend' & adjudicand' et quod bene licebit eisdem major' burgensibz & coitati civitatis p'dict' et successor' suis de tempore in tempus quoties opus fu'it omnia & singula hmoi exit' forisfactur' fines redempcoes & amerciament' adjudicat' & adjudicand' sive assidend' p vicecomit' aut al' ministr' ejusdem civitat' Bristol' qui nunc sunt & qui pro tempore erunt ad opus dcor' major' burgens' & coitatis civitat' p'dict' & successor' suor' colligere & levare ac seipos in seinam & possession' de eisdem ponere possint aut [*lege prout*] vicecom' officiar' vel ministri n'ri hered' vel successor' nror in ea pte pro nobis hered' & successor' n'ris possint potuissent vel deberent ad opus nrm hered' & successor' nror' pcipere & levare si ea p'dict' majori burgensibz & coitati civitat' Bristol' p'dict' & successoribz suis concess' non fuissent absq' aliquo computo aut aliquo al' nobis hered' vel

(9) See note 12 of the charter 1499.

that they shall be empowered to put themselves in seisin and possession of the same, as the sheriffs, officers or ministers of us, our heirs and successors are or would be empowered or would have a right in that behalf to collect and levy them for us, our heirs and successors to the use of us, our heirs and successors, if they had not been granted to the said mayor, burgesses and commonalty of the city of Bristol aforesaid and to their successors; without rendering, making or paying any account thereof or any other thing to us, our heirs or successors. **And we** will that the mayor of the city of Bristol aforesaid for the time being and his successor for the time being, as long as he shall be mayor of the city aforesaid, the recorder of the same city for the time being, as long as he shall be recorder of that city, and the aforesaid aldermen and their successors, as long as they shall be aldermen of the same city, eleven, ten, nine, eight, seven, six, five, four and three of them (of whom the mayor or recorder, if he be in the city, or the senior alderman of the city aforesaid then residing there and in the absence of the recorder aforesaid, we will to be one) hereafter for ever from time to time may have and hold and may be enabled and empowered to have and hold four sessions of the peace within the city aforesaid at the usual times, appointed by the statute in that behalf, as heretofore was usual in that place; and [<sup>10</sup>power] of

The mayor,  
&c. shall hold  
four sessions  
of the peace

successoribz n'ris inde reddend' faciend' seu solvend' **Et volumus** quod major' civitat' Bristol' p'dict' pro tempore existen' & successor suus pro tempore existen' quamdiu major civitat' p'dict' extitit recordator ejusdem civitat' pro tempore existen' quamdiu recordator civitat' ill' extiterit ac p'dict' aldermanni & successores sui quamdiu aldermanni ejusdem civitat' extiterint undecem decem novem octo septem sex quinq' quatuor & tres eor' quor' major' vel recordator' si in civitat' fu'it vel senior' aldrum civitat' p'dict' tunc ibm residentem & in absentia recordator' p'dict' unum esse volumus de cetero impm de tempore in tempus he'ant & teneant ac he're & tenere valeant & possint quatuor sessiones pacis infra civitat' p'dict' ad tempora usual' & p' statut' in ea pte appunctuat' ut antehac

(10) *Power.*] The insertion of this or of a similar word is requisite in order to produce any meaning; but the error is probably much greater, and extends through the whole sentence. The parallel passage in the charter of Hen' 7. p' 161, is not very clear; the transcript of it in chart'

Eliz' p' 200, by omitting a part of the clause is rendered more doubtful; and this present passage being copied with alterations from the last-mentioned is in want of great amendment.

for gaol-  
delivery.

Fines at gaol-  
delivery re-  
served to the  
crown.

The justices  
shall take the  
proper oaths.

doing, exercising and executing all and singular those things within the same city and suburbs and precincts aforesaid and in the same manner and form at any time or times as often as shall be necessary, as many as and such as any other justices for delivering any gaol or gaols have, exercise and execute any where else within our kingdom of England aforesaid, of whom in such case the mayor and recorder of the city aforesaid for the time being we will to be two: saving always to us, our heirs and successors all and singular fines, issues, ameracements, forfeitures and other profits to be made, forfeited or adjudged before the said justices for the gaol-delivery of the said city of Bristol and any of them. Provided always and we will that the several justices of the peace aforesaid and every one of them be sworn from time to time respectively to perform and execute those offices and trusts in due manner according to the laws and customs of this our kingdom of England before the commissioners mentioned below or such other person or persons and in such place and manner, as was heretofore usual in this respect in the city aforesaid. **We also** will and by these presents for us, our heirs and successors we grant to the mayor, burgesses and commonalty of the city aforesaid and to their successors, that they and their successors hereafter for ever may

ibm usitat' fuit ac ea omnia & singula infra eandem civitatem & suburb' & p'cinct' p'dict' ac eisdem modo & forma faciend' exercend' & exequend' ad aliquod tempus sive tempora quoties opus fuerit quot & qual' aliqui al' justic' ad aliqu' gaol' seu gaol' deliband' h'ent exercent & exequuntur vel h'ere exercere & exequi debebunt vel poterint alibi infra regnum nrm Angl' p'dict' (quor' in tali casu major' & recordator' civitat' p'dict' pro tempore existen' duos esse volumus) Salvis semp nobis hered' & successoribz n'ris omnibus & singul' finibz exit' & amerciament' forisfactur' & al' profic' coram dict' justic' ad gaol' p'dict' civitat' Bristol' delib'and' & eor' quolibz faciend' forisfaciend' sive adjudicand' Proviso semp & volumus quod sep'al' justic' ad pacem p'dict' jurentur & eor' quilibet juretur de tempore in tempus respective ad offic' & fiduc' ill' debo modo pformand' & exequend' scdm leges & statut' hujus regni n'ri Angl' coram commissioner' inferius nominat' aut tal' al' psona & psonis & tal' loco & modo qual' antehac in ea pte usitat' fuit in civitat' p'dict' **Volumus** etiam ac p p'sentes pro nobis hered' & successoribz n'ris concedimus major' burgensibz & coitat' civitat' p'dict' & successoribz suis qd ipi &

and shall have within the city aforesaid one fit and honest man, who shall be and shall be called *the Common-clerk* of the city aforesaid; and for the better execution of our will in this respect we have assigned, ordained, constituted and made, and by these presents for us, our heirs and successors we assign, nominate, ordain, constitute and make our beloved *John Romsey*, esquire, to be the first and present common-clerk of the city aforesaid, to continue in the said office during his natural life. And we will and grant that the said *John Romsey* and every other succeeding common-clerk of the city aforesaid for the time being may have, hold and enjoy as many, as great, such, the same and of such sort offices, wages, profits, perquisites and emoluments whatever, which, as great as and such as any common-clerk of the city aforesaid heretofore had, held or enjoyed, or was enabled or empowered or had a right to have, hold and enjoy: he the said *John Romsey*, and every other succeeding common-clerk of the city aforesaid hereafter for ever, first giving the aforesaid oaths mentioned in the said act of parliament; and also all other oaths usually administered heretofore to the common-clerk of the city aforesaid at the time of his admission to the office of common-clerk of the city aforesaid. And moreover we will and by these presents

There shall be a town-clerk.

The town-clerk nominated.

The town-clerk's fees, &c.

His oaths.

successor' sui de cetero imppm h'eant & h'ebunt infra civitat' p'dict' unum virum idoneum & honestum qui erit & vocabitur cois clicus civitat' p'dict' et pro meliori execucoe voluntat' n're in hac pte assignavimus ordinavimus constituimus & fecimus ac p p'sen' pro nobis hered' & successor' n'ris assignamus noiamus ordinamus constituimus & facimus dilcm nob' Johem Romsey armiger' fore & esse primum & modernum coem clicum civitat' p'dict' continuand' in dict' offic' duran' vita sua naturali Et volumus & concedimus quod dict' Johes Romsey & quilt al' succedens cois clicus civitat' p'dict' pro tempore existen' h'eant teneant & gaudeant ac h'ere tenere & gaudere valeant & possint tot tant' tal' eadem & h'moi offic' vad' profic' pquisic' & emolument' quecunq' que quant' & qual' aliqu' cois clicus civitat' p'dict' antehec tempora h'uit tenuit vel gavisus fuit aut h'ere tenere & gaudere valeat aut possit aut debuit ipo p'fat' Johe Romsey & quolt al' succedente coe clico civitat' p'dict' de cetero imppm sacrament' p'dict' in p'dict' actu parliament' mencoat' necnon oia alia jurament' usualit' administrat' antehac coi clico civitat' p'dict' tempore admissionis sue ad offic' cois clici civitat' p'dict' prius

Common-council shall elect the succeeding town-clerks.

Town-clerk shall be a barrister of three years standing,

and must be approved of by the king.

for us, our heirs and successors we grant to the mayor, bur-  
gesses and commonalty of the city aforesaid and to their  
successors, that if it shall happen that the said John Romsey  
or any other common-clerk of the said city for the time being  
shall die or be removed from that office, it may and shall be lawful  
for the mayor and common-council of the said city for the time  
being or the greater part of them, of whom the mayor of the  
said city for the time being we will to be one, to elect and nomi-  
nate one other person in the place of him so dead or removed  
from the office aforesaid. Provided always and we will that no  
one shall be elected to the office of common-clerk of the said  
city, unless he be skilled in the laws of England and a bar-  
rister for the space of three years at least; and that no person,  
so elected or to be elected (in case of death or removal) to  
the office of common-clerk of the said city, shall be admitted  
to take the oaths aforesaid or to exercise the office of com-  
mon-clerk of the said city, before we, our heirs or successors  
shall signify an approbation of him so elected or to be elected  
to the said office of common-clerk under the royal hand of  
us, our heirs or successors; which signification of favour and  
approbation being so had and obtained, it may and shall be  
lawful for the mayor of the said city for the time being to

p'stant' Et insup volumus ac p p'sentes pro nob' hered' & successoribz n'ris concedimus  
majori burgensibz & coitat' civitat' p'dict' & successoribz suis quod si acciderit p'dict'  
Johem Romsey vel aliquem al' coem clicum civitat' p'dict' pro tempore existen' obire vel  
amoveri ab offic' ill' liceat & licebit majori & coi concilio civitat' p'dict' pro tempore  
existen' vel major' pti eor' (quor' major' civitat' p'dict' pro tempore existen' unum esse  
volumus) eligere & noiare un' al' pson' in loc' ipius sic mort' vel amot' ab offic' p'dict'  
proviso semp & volumus quod nullus ad offic' cois clici civitat' p'dict' electus erit nisi  
sit in legibus Angl' peritus & barrasterius p spac' trium annor' ad minimum & quod nulla  
psona sic elect' vel eligend' in casu mortis vel amocois <sup>11</sup>sue ad offic' comun' clici  
civitatis p'dict' admittetur sacra' et jurament' p'dict' p'stare vel exercere offic' cois clici  
civitatis p'dict' antequam nos hered' vel successor' n'ri significabunt approbacoem ipius sic  
elect' vel eligend' ad dict' offic' cois clici sub manu regali n'ri hered' vel successor' nror'  
qui [*lege* quâ] significacoem favoris & approbaconis sic h'it' & obtent' liceat & licebit

(11) *Sue.*] If this word be allowed to keep its place, it must refer to the death or removal of the person mentioned in the preceding sentence: but it is probably admitted inadvertently.



administer the said oaths to the same person so elected and approved of, as is premised, and to admit him to the execution of the office of common-clerk of the said city: to which mayor of the said city for the time being we give and grant by these presents power and authority of giving and administering the said oaths to the said common-clerk, without procuring or obtaining any other warrant or commission in this behalf from us, our heirs or successors. Town-clerk shall not be alderman or sheriff. Provided also and we will, that no common-clerk of the said city during his continuance in that office may or shall be alderman or sheriff of the city or county aforesaid. **We will** also and by these presents for us, our heirs and successors we grant to the mayor, burgesses and commonalty of the said city and to their successors, that they and their successors hereafter for ever may and shall have within the city aforesaid one steward for the court of the sheriff of the county of the city of Bristol aforesaid; and for the better execution of our will and grant in this behalf we have assigned, nominated, ordained, constituted and made, and by these presents for us, our heirs and successors we assign, nominate, ordain, constitute and make our beloved *John Robins* to be the first steward of the court of the sheriff of the said city, to continue in that office during his natural life: and we will and grant that the said John There shall be a steward of the sheriff's court. The steward of the sheriff's court nominated.

majori civitat' p'dict' pro tempore existen' administrare sacra' et jurament' p'dict' eidem psone sic elect' & approbat' ut p'fertur & eum ad execucoem offic' cois clici civitat' p'dict'mittere cuiquidem majori civitat' p'dict' pro tempore existen' dandi & administrandi sacra' & jurament' p'dict' p'fat' coi clico potestat' & autoritat' damus & concedimus p p'sentes absq' aliquo al' warranto vel commissione a nob' hered' vel successoribz n'ris in ea pte procurand' aut obtinend' Proviso etiam & volumus quod nullus communis clicus civitat' p'dict' duran' continuacon' sua in officio illo sit aut erit aldrus sive vicecomes civitat' sive com' p'dict' **Volumus** etiam ac p p'sentes pro nobis hered' & successoribz n'ris major' burgensibz & coitati civitatis p'dict' & successor' suis concedimus quod ipsi & successores sui decetero imperpetuum h'eant & he'bunt infra civitat' p'dict' unum senescall' pro cur' vicecomit' com' civitat' Bristol' p'dict' Et pro meliori execucoe voluntatis & concessionis n're in hac parte assignavimus nominavimus ordinavimus constituimus & fecimus ac p p'sentes pro nobis hered' & successoribz n'ris assignamus nominamus ordinamus constituimus & facimus dilectm nob' Johem Robins fore & esse primum senescal' cur' vicecomit' civitat' p'dict' continuand' in offic' ill' duran' vita sua

Robins and every other succeeding steward of the said court hereafter to be chosen may have, hold and enjoy, and may be enabled and empowered to have, hold and enjoy, as many, as  
 His fees, &c. great, such, the same and of such sort offices, wages, profits, perquisites and emoluments whatever, which, as great as and such as the stewards of the court of the sheriff of the county and city aforesaid heretofore had, held or enjoyed, or may be enabled or empowered or had a right to have, hold and enjoy: he the said John Robins, and every other succeeding steward of the court of the sheriff aforesaid hereafter for ever, giving the aforesaid oath mentioned in the act of parliament aforesaid, and also all other oaths heretofore usually administered to the steward of the court of the sheriff of the county of the city of Bristol aforesaid, and at the time of his admission to the office of steward of the said sheriff's court taken by him. And moreover we will and by these presents for us, our heirs and successors we grant to the mayor, burgesses and commonalty of the said city and to their successors, that if it shall happen that the said John Robins or any other steward of the sheriff's court of the city aforesaid for the time being should die or be removed from that office, or in case of any other vacancy, it may and shall be lawful for the mayor and

natural' Et volumus & concedimus qd dict' Johes Robins et quilt al' succedens senescall' cur' p'dict' imposter' eligend' he'ant teneant & gaudeant ac here tenere & gaudere valeant & possint tot tant' tal' eadem & hmoi officia vad' profic' pquisic' & emolument' quecunq' que quant' & qual' senescall' cur' vicecom' com' & civitat' p'dict' ante hec tempora h'uerunt tenuer vel gavis fuerunt aut h'ere tenere & gaudere valeant aut possint aut debuerunt ipso p'fato Johe Robins & quilt al' succeden' senescal' cur' vicecomit' p'dict' de cetero imppm p'stante p'dict' sacra' in p'dict' act' parliament' menconat' necnon omn' al' jurament' antehac usualit' administrat' senescallo cur' vicecomit' com' civitat' Bristol' p'dict' pro [*lege* &] tempore admissionis sue ad offic' senescall' dict' cur' vicecomit' p'stit' Et insup volumus ac p p'sentes pro nobis hered' & successoribz n'ris concedimus majori burgensibz & coitati civitat' p'dict' & successor' suis quod si contigerit p'dict' Johem Robins vel aliquem al' senescall' cur' vicecomit' civitat' p'dict' pro tempore existen' obire vel amoveri ab offic' ill' vel in casu alterius vacantie liceat & licebit majori & coi concilio civitat' predict' pro tempore existen' vel majori part'eor' (quor'

common-council of the said city for the time being or for the greater part of them (of whom the mayor for the time being we will to be one) to choose and nominate one other person in the place of him so dead or removed from the said office; and so, as often as the case shall so happen. Provided always and we will that no one shall be elected to the office of steward of the sheriffs' court of the city aforesaid, unless he be learned in the laws, and a barrister for the space of three years at the least; and that no person so elected or to be elected to the office of steward aforesaid in case of death or removal, as is before said, shall be admitted to take the oaths aforesaid, or to exercise the office of steward of the court aforesaid, until we, our heirs or successors shall signify an approbation of him so elected or to be elected to the office of steward of the court aforesaid under the royal hand of us, our heirs or successors; which signification of favour and approbation being so had and obtained, as is premised, it may and shall be lawful for the mayor of the city aforesaid for the time being to administer the oaths aforesaid to the same person so elected and approved of, as is above mentioned, and to admit him to the execution of the office of steward of the court aforesaid: to which mayor of the said city for the time being we give and grant by these presents power and authority

On a vacancy the common-council shall elect another steward.

He shall be a barrister of 3 years standing.

He shall be approved of by the king.

major' pro tempore existen' unum esse volumus) eligere & nominare un' al' pson' in loc' ipsius sic mort' vel ab offic' p'dict' amoti & sic tocies quoties casus sic acciderit Proviso semp et volumus quod nullus ad offic' senescall' cur' vicecom' civitat' p'dict' electus erit nisi sit in legibz erudit' & barraster' p spatium trium annor' ad minimum & quod nulla psona sic elect' vel eligend' ad offic' senescall' p'dict' in casu mortis vel amocois ut p'fertur admittetur sacra' & jurament' p'dict' p'stare vel exercere offic' senescall' cur' p'dict' usq' nos hered' vel successores n'ri significabimus vel significabunt approbacoem ipsius sic elect' vel eligend' ad offic' senescall' cur' p'dict' sub manu regal' n'ri hered' vel successor' nror' qua significacoe favor' & approbaonis sic h'it' & obtent' ut p'fertur liceat & licebit majori civitat' p'dict' pro tempore existen' administrare sacra' & jurament' p'dict' eidem psone sic elect' & approbat' ut p'fertur & cum ad execucon' offic' senescall' cur' p'dict' admittere cuiquidem major' civitat' p'dict' pro tempore existen' dandi & administrandi sacra' & jurament' p'dict' p'fato senescallo cur' vicecomit' p'dict' potestat'

of giving and administering the oaths aforesaid to the said steward of the sheriff's court aforesaid, without procuring or obtaining any other warrant or commission in this behalf from us our heirs or successors. **We will** moreover and by these presents for us, our heirs and successors we grant to the mayor, burgesses and commonalty of the said city and to their successors, that they and their successors hereafter for ever may and shall have two coroners within the said city; and for the better execution of our will in this behalf we have assigned, nominated, constituted and made, and by these presents for us, our heirs and successors we assign, nominate, constitute and make our beloved *George Lunell* [al' *Lymell*] and *Rowland Searchfield* to be the first coroners of the same city. And we will that the said *George Lunell* and *Rowland Searchfield* and the coroners of the same city for the time being before their admission into the office aforesaid shall respectively make and take upon them *the oath of allegiance* appointed in the aforesaid act of parliament, and also the oaths usually taken and given heretofore by the coroners of the said city. And we will and by these presents for us, our heirs and successors we grant, that in case of the death or removal of the said *George Lunell* and *Rowland Searchfield* or either of them or of any other

There shall be two coroners.

The two coroners nominated.

Their oaths.

& autoritat' damus & concedimus p p'sentes absq' aliquo al' warranto vel commissione a nobis hered' vel successoribz n'ris in ea pte procurand' aut obtinend' **Volumus** insup ac p p'sentes pro nobis hered' & successoribz n'ris concedimus majori burgensibus et coitati civitat' p'dict' & successoribz suis quod ipsi & successores sui decetero imppm h'eant & h'ebunt [*dele* infra civitat' p'dict'] duos coronatores infra civitat' p'dict' et pro meliori execucoe voluntat' n're in hac pte assignavimus nominavimus constituimus & fecimus ac p p'sentes pro nobis hered' & successoribus n'ris assignamus nominamus contituimus & facimus dilectos nobis *Georgium Lunell* & *Rowland Searchfeild* fore & esse primos coronatores civitat' ejusdem Et volumus quod dict' *Georgius Lunell* & *Rowland Searchfeild* & coronatores ejusdem civitatis pro tempore existen' antequam admission' suam in offic' p'dict' capient & recipient respective jurament' ligeantie anglice *the oath of allegiance* in p'dict' actu parliament' appunctuat' necnon jurament' usualit antehac capt' & p'stit' p coronator' p'dict' civitat' Et volumus ac p p'sentes pro nobis hered' & successoribz n'ris concedimus quod in casu mortis vel amocionis p'dict' *Georgij Lunell* & *Rowland Searchfeild* aut eor' alterius vel alicujus al' coronator' ejusdem civitat' im-

coroner of the same city hereafter to be chosen or in case of any other vacancy of that office, it may and shall be lawful for the mayor and common-council of the said city for the time being or the greater part of them, of whom the mayor of the same city for the time being we will to be one, to choose and nominate one or two persons into the place and office of him or them so dead or removed, as is above mentioned; provided always and we will that no person in future elected or to be elected to the office of coroner of the same city shall be sworn or be admitted to the execution of the office of coroner of the same city, before we, our heirs or successors shall signify the approbation of us, our heirs or successors of him or them so elected or to be elected to the said office of coroner of the same city under the royal hand of us, our heirs or successors; which approbation being so had and obtained, as aforesaid, it may and shall be lawful for the mayor of the same city for the time being to administer the said oaths to the said person or persons so approved of, as is premised, and to admit him or them to the execution of the office of coroner of the said city: to which mayor of the said city for the time being we give and grant by these presents full power and authority of giving and administering the said oaths to the

On vacancies  
the common-  
council shall  
choose other  
coroners.

They shall be  
approved of  
by the king.

poster' eligend' vel in casu alicujus alt'ius vacantie offic' ill' liceat & licebit majori & coi concilio civitat' p'dict' pro tempore existen' vel majori pti eor' (quor' major' ejusdem civitat' pro tempore existen' unum esse volumus) eligere & nominare un' vel duos in loc' & offic' ipius vel ipor' sic mortui vel amoti mortuor' vel amator' ut p'fertur Proviso semp & volumus quod nulla psona imposter' elect' vel eligend ad offic' coronator' ejusdem civitatis juretur vel ad execucon' offic' coronator' ejusdem civitat' admissus erit antequam nos heredes vel successores n'ri significabimus vel significabunt approbacon' n'ri hered' vel successor' nrer' ipius vel ipor' sic elect' vel eligend' elect' vel eligend' ad dict' offic' coronator' ejusdem civitatis sub manu regal' n'ri hered' vel successor' nrer' qua approbacon' sic habit' & obtent' ut p'fertur liceat & licebit majori ejusdem civitat' pro tempore existen' administrare sacra' & jurament' p'dict' p'fat' pson' vel psonis sic approbat' ut p'fertur & eum vel eos ad execucon' offic' coronator' civitat' p'dict' admittere cuiquidem major' civitat' p'dict' pro tempore existen' p'fat' coronator' ejusdem civitat' pro tempore existen' sacra' & jurament' p'dict' dandi & administrandi plenam potestat' &

said coroners of the same city for the time being; without procuring or obtaining other warrant, writ or commission in this behalf from us, our heirs or successors. **And further** we will and order that the mayor, sheriffs, common-councilmen, aldermen, justices of the peace, common-clerk, steward of the sheriff's court, and coroners of the city and county aforesaid and every one of them nominated and constituted in these presents (the aforesaid John Churchill, knight, excepted) shall take respectively and every one of them shall take the corporal *oath of allegiance* and the oaths appointed by the aforesaid act of parliament, and also all other oaths concerning the well and faithfully executing their offices and trusts respectively in and through all cases, before our well-beloved and very faithful councillor *Francis*, <sup>12</sup> *baron of Guildford*, keeper of our great seal of England; and our well-beloved and very faithful cousin and councillor *Henry* <sup>13</sup> *duke of Beaufort*; our well beloved and very

The mayor, aldermen, &c. shall take the oaths before certain commissioners.

authoritat' damus & concedimus p' p'sentes absq' aliquo al' warranto brevi vel commissione a nobis hered' vel successoribz n'ris in ea pte pcurand' aut obtinend' **Et ult'ius** volumus et p'cipimus quod major vicecomites communi consiliarij aldermanni justiciarij ad pacem cois clicus senescall cur' vicecom' & coronatores civitatis et com' p'dict' & quilt eor' in hijs p'sentibz nominat' & constitut' (p'fato Johe Churchill mil' except') respective sacrament' corporal' ligeantie anglice vocat' *the oath of allegiance* & sacra' p' p'dict' act' parliament' appunctuat' necnon omni jurament' in omnibz & p' omnia offic' & fiduc' suas respective tangen' bene & fidelit' exequend' p'stabunt' & eor' quilibet p'stabit coram p'dilco & pquamfidel' consiliario nro Francisco Barone de Guilford custod' magni sigilli n'ri Angl' p'dilco & pquamfidel' consanguineo & consiliario nro Henrico duce de Beaufort p'dilco & pquamfidel' consanguineo nro Carolo marchione de Worcestre

(12) *Baron Guildford.*] Francis North, lord keeper; a wise and upright judge in times of great difficulty. His life, written by his relation Roger North, which was become very scarce, has been lately reprinted, as it well deserved.

(13) *Duke of Beaufort.*] He was first Duke of Beaufort, created in 1685. See Sandford's General Hist' (p' 364). He was Lord Lieutenant of the counties of Gloucester, BRISTOL, Hereford and Monmouth; and being in command here in 1685, the year after the grant of this charter during Monmouth's rebellion, he held Bristol with a steady hand. He was grandson of Henry, first Marquis of Worcester, that

illustrious nobleman, whose zeal in the cause of his sovereign and gallantry in defending his castle of Ragland, the last refuge of loyalty in the west, will never be forgotten. Henry, first Duke of Beaufort, lived at Badminton, as his grandfather had done at Ragland, in a princely way, some account of which may be seen in the life of Lord Keeper Guildford, vol. 1, p' 255. He died in 1699. His grandson, who succeeded him, was likewise lord lieutenant of Bristol. In 1702, he entertained queen Anne at Badminton; and in 1710, he is said to have openly congratulated her Majesty on the dismissal of the whig-ministry. His grace the present duke of Beaufort is the sixth duke of this noble family.

faithful cousin *Charles*, <sup>14</sup> *marquis of Worcester*, son and heir-apparent of the before-mentioned duke of Beaufort; our well-beloved and very faithful councillor <sup>15</sup> *Leoline Jenkins, knight*; and our beloved and faithful <sup>16</sup> *Charles Kemish, baronet*; <sup>17</sup> *John Smith, baronet*; *James Herbert, knight*; and *John Fitzherbert, esquire*, or any three of them; of whom the said Francis baron of Guildford, keeper of our great seal, or Henry, duke of Beaufort, or Charles, marquis of Worcester, or Leoline Jenkins, knight, we will to be one: to which Francis, baron of Guildford, keeper of our great seal, Henry duke of Beaufort, Charles marquis of Worcester aforesaid, Leoline Jenkins, knight, Charles Kemish, baronet, John Smith, baronet, James Herbert, knight, and John Fitzherbert or any three of them (of whom the said keeper of our great seal, or Henry duke of Beaufort, or Charles marquis of Worcester aforesaid, or Leoline Jenkins, knight, we will to be one) we give and grant by these presents full power and authority of giving and administering the several oaths

fil' & hered' apparen' p'menconat' ducis de Beaufort p'dilco & pquamfidel' consiliario nro Leolin' Jenkins mil' & dileis & fidel' n'ris Carolo Kemish bar' Johc Smith bar' Jacobo Herbert mil' et Johe Fitzherbert armigero aut aliquibz tribz eor' (quor' p'dict' Francum' baron' de Guilford custodem magni sigilli n'ri aut Henricum ducem de Beaufort aut Carol' marchion' de Worcest' vel Leolin' Jenkins mil' unum esse volumus) quibusquidem Franco baroni de Guilford custod' magni sigilli n'ri Henrico duci de Beaufort Carolo marchioni de Worcest' p'dict' Leolin' Jenkins mil' Carolo Kemish bar' Johi Smith bar' Jacobo Herbert mil' Johi Fitzherbert aut aliquibz tribz eor' (quor' p'dict' custodem magni sigilli n'ri aut Henricum ducem de Beaufort aut Carol' Marchion' de Worcest' p'dict' vel Leolin' Jenkins mil' unum esse volumus) dandi & administrandi sep'al' sacrament' & jurament' p'dict' sep'alibz & respectivis officarijs & psonis p'dict'

(14) *Charles, m' of Worcester.*] Being born in London some few months after the return of k' Charles 2, his majesty stood godfather to him at his baptism. Like his grandfather, Edward, marquis of Worcester, Lord Herbert of Ragland, he was a person of learning and ingenuity. He died prematurely in 1698, during the life of his father, in consequence of leaping out of his coach, when the horses ran away. From Sandford's Gen' Hist' 372 b.

(15) *Sir Leoline Jenkins.*] Secretary of state; an eminent civilian, who is supposed to have had a great share jointly

with Lord C' J' Hale in drawing up the statute of frauds and perjuries, "of which the Lord Nottingham said that every line was worth a subsidy." See more of him in the Life of Lord Guildford, and in Granger's Biographical Hist', Charles 2, class 5. And as he is considered the second founder of Jesus Coll' in Oxford, see Chalmers's History of the Colleges and Halls. See his Life also in the Biographia Britannica.

(16) *Sir Charles Kemish*] of Monmouthshire and Glamorganshire.

(17) *Sir John Smith*] of Long-Ashton.

aforesaid to the several and respective officers and persons aforesaid, without procuring or obtaining any other commission or warrant in this behalf from us, our heirs or successors. We also will that the said John Churchill knight shall take the several oaths for the due execution of the several offices and trusts of recorder, alderman, and justice of the peace of the said city, and also the oath called *the oath of allegiance* appointed by the act of parliament aforesaid, before the said Francis, baron of Guildford, keeper of our great seal, Henry duke of Beaufort, Charles, marquis of Worcester aforesaid, and Leoline Jenkins, knight, or any one of them; to which keeper of our great seal, Henry duke of Beaufort, Charles marquis of Worcester aforesaid and Leoline Jenkins, knight, or any one of them, we give and grant by these presents full power and authority of giving and administering the several oaths to the said John Churchill, knight, without procuring or obtaining any other commission or warrant in that behalf from us. **Provided** always and by these presents we reserve to us, our heirs and successors full <sup>18</sup> power and authority from time to time at all times hereafter of removing and declaring to be

plen' potestat' & autoritat' damus & concedimus p p'sentes absq' aliqua al' commissione vel warranto a nob' hered' vel successoribz n'ris in ea pte procurand' aut obtinend' Volumus etiam quod p'dict' Johes Churchill mil' sepal' sacrament' pro deba execucoe sepal' officior' & fiduciar' recordator' aldri & justiciarj ad pacem civitat' p'dict' necnon sacrament' vocat' *the oath of allegiance* & jurament' p act' parliament' p'dict' appunctuat' p'stabit coram p'fat' Franco baron' de Guilford custode magni sigilli n'ri Henrico duce de Beaufort Carolo marchion' de Worcest' p'dict' & Leolin' Jenkins mil' aut aliqu' un' eor' quibusquidem custodi magni sigilli n'ri Henrico duci de Beaufort Carol' marchion' de Worcest' p'dict' & Leolin' Jenkins mil' aut alicui uni eor' dandi & administrandi sepal' sacra' & jurament' p'fato Johi Churchill mil' plenam potestat' & autoritat' damus & concedimus p p'sentes absq' aliqu' al' commissione vel warranto a nobis in ea pte procurand' aut obtinend' **Proviso** semp ac plenam potestat' & autoritat' nob' hered' & successoribz n'ris p p'sentes reservamus de tempore in tempus & ad omnia tempor'

(18) *Power of removing.*] It was evidently for the sake of introducing this clause, that the late charter was annulled and the present granted. By such arbitrary proceedings as

these did the unfortunate family of Steuart, after a continual struggle of about fourscore years, bring about their own expulsion from the throne.



removed the mayor, recorder, and any one or more of the aldermen or sheriffs, and any one or more of the common-council, or the common-clerk, the steward or coroners of the city aforesaid nominated and constituted by these presents or hereafter to be nominated and elected, at the will and pleasure of us, our heirs or successors by any order of us, our heirs or successors made in privy council and signified to the same persons respectively under the seal of the privy council aforesaid. And as often as we, our heirs or successors by any such order made in privy council shall declare such mayor, recorder, or any one or more of the aldermen, sheriffs, and any one or more of the common-council, or the common-clerk, steward or coroners of the same city, who are now nominated and constituted by these presents or hereafter shall be elected and nominated, to be removed from their respective offices aforesaid, that then and thenceforth, the mayor, recorder, and any one or more of the aldermen or sheriffs, and any one or more of the common-council, or the common-clerk, the steward or coroners of the same city by these presents now constituted and nominated or hereafter to be constituted and elected, being so removed or declared to be removed from their several respective offices and trusts, shall actually, and without any further

Power of removing the mayor, &c. reserved to the crown.

imposter' ad major' recordator' & aliquem vel aliquos aldror' vel vicecomit' & aliquem vel aliquos de coi consilio vel coem clicum senescall' vel coronator' civitat' p'dict' p p'sentes nominat' & constitut' vel imposter' nominand' & eligend' ad libit' & beneplitm n'rm hered' vel successor' nror' p aliquem ordinem nrm hered' vel successor' nror' in privato concilio fact' & sub sigillo privat' concilij p'dict' eisdem respective significat' ad amovend' & amot' & amotos esse declarand' et quoties nos heredes vel successores nri p aliquem tal' ordinem in privato concilio fact' declarabimus humoi major' recordator' aut aliquem vel aliquos aldror' vicecomit' & aliquem vel aliquos de coi concilio aut coem clicum senescall' seu coronator' ejusdem civitat' qui nunc p p'sentes nominat' & constitut' sunt vel imposter' erunt elect' & nominat' fore & esse amot' vel amot' a respectivis officijs p'dict' quod tunc & extunc major recordator & aliquis vel aliqui aldror' vel vicecomit' & aliquis vel aliqui de coi concilio aut cois clicus senescall' seu coronator' ejusdem civitat' p p'sentes nunc constitut' & nominat' vel imposter' constituend' & eligend' sic amot' vel amotos esse declarat' sive declarand' a sepalibz respectivis officijs & fiducijs suis ipso

process, really, and to all intents and purposes whatever be removed; and this as often as the case shall so happen, any thing to the contrary notwithstanding. **We will** also and by these presents for us, our heirs and successors we grant and order that all the corn and grain hereafter brought into the said city by land shall be bought and sold at the ancient market-place in Wine-street within the said city. We will moreover and by these presents for us, our heirs and successors we grant to the mayor, burgesses and commonalty of the city aforesaid and to their successors, that they and their successors hereafter for ever may have, hold and keep, and may be enabled and empowered to have, hold and keep for the buying and selling of all and all sorts of grain imported by water a market at the Key of the city of Bristol aforesaid, at a place commonly called *Aldworth's slip* situate on the said key of Bristol, and from thence along the same river called *the Froom* towards *the Gibb* for the space of thirty yards. And we will and grant that the said market may and shall be governed and appointed as shall seem expedient to the mayor and aldermen of the same city for the time being or to the greater part of them, of whom the mayor for the time being we will to

Corn brought by land shall be sold at the ancient market-place.

A market for corn brought by water.

facto & sine aliquo ulterior' processu realit' & ad omn' intencoes & proposit' quecunq' amoti sint & erint & amotus sit & erit et hoc toties [*lege* quoties] casus sic acciderit aliquo in contrar' non obstan' **Volumus** etiam ac p p'sentes pro nobis hered' & successor' n'ris concedimus & pcipimus quod omn' frument' & gran' imposter' in civitat' p'dict' port' p terram vendit' & empt' erunt apud antiqu' forum mercatorium (Anglice the antient markt place) in le Wine-Street infra civitat' p'dict' Volumus insup ac p p'sentes pro nobis hered' & successoribz nris concedimus majori burgensibus & comunitat' civitat' p'dict' & successoribz suis quod ipsi & successores sui de cetero imppm h'eant teneant & custodiant & h'ere tenere & custodire valeant & possint unum mercatum pro empcoe & vendicoe omn' & omiod' gran' import' p' aquam ad port' (anglice the Key) civitat' Bristol' p'dict' apud locum coit' vocat' Aldworth's Slip scituat' sup dict' port' Bristol' & exinde secus eund' fluvium vocat' Froom versus le Gibb p spacium trigint' virgar' (anglice thirty yards) Et volumus & concedimus quod dict' mercat' gubernat' & appunctuat' sit & erit prout majori & aldris ejusdem civitat' pro tempore existen' vel majori pti eor' (quor' major' pro tempore existen' unum esse volumus) expedien' videbitur

be one. Provided always and we order for us, our heirs or successors that hereafter for ever all and as much grain as shall for the future be imported to another part, viz' to the *Back* of the said city, may be bought and sold at the same place. Nevertheless we will that the said market be regulated, and reasonable tolls thence arising, coming out and growing shall be made and paid in such manner and quantity, as to the mayor and aldermen of the said city for the time being or to the greater part of them, of whom the mayor for the time being we will to be one, shall seem convenient and expedient.

Mayor and aldermen shall fix the tolls.

**We** also will and by these presents for us, our heirs and successors we grant to the mayor, burgesses and commonalty of the said city and to their successors, that they and their successors hereafter for ever may have, hold and keep, and may be enabled and empowered to have, hold and keep three fairs for the buying and selling of all and all sorts of wool, woollen cloths and woollen goods on the days mentioned below; viz' the first of them in and upon the eighteenth day of April, and to last for two days; the second to begin and to be holden in and upon the eighteenth day of June and to last for two days; and the third of the same fairs to begin and be

Three cloth-fairs shall be holden annually in King-street.

Proviso semp & p'cipimus pro nobis hered' & successor' nris quod de cetero imp'p'm omn' & tant' gran' que imposterum import' erunt ad alteram ptem civitat' p'dict' (anglice to the back of the said city) ibm vendit' & empt' poterint Attamen volumus quod dict' mercat' regulat' erit & ronabil' tallag' exinde provenien' omergen' & crescen' fact' & solut' erunt in tal' modo & quantitat' qual' majori & aldris civitat' p'dict' pro tempore existen' unum esse volumus) convenien' & expedien' videbitur **Volumus** etiam ac p' p'sentes pro nobis hered' & successoribz n'ris concedimus majori burgensibz & coitati civitat' p'dict' & successor' suis quod ipsi & successores sui de ceto imp'p'm habeant teneant & custodiant & h'ere tenere & custodire valeant & possint tres fer' sive nundin' pro empcoe & vendicoe omn' & omnimod' lanar' <sup>19</sup> lanar' pannor' & laneor' opificior' in diebz inferius menconat' viz' prim' ear' in & sup' decimum octavum diem mensis Aprilis. & pro duobz diebz duratur' secund' incipiend' & tenend' in & super decimum diem mensis junij & pro duobz diebz duratur' & tertiam ear'dem feriar' incipiend' & tenend'

[19] Lanarum.] See note 13, p' 48: king Charles's copyist seems to have been at a loss as much as the earlier.

holden in and upon the first Thursday next after the feast of St. Michael the archangel and to last for that day; unless any of the before mentioned four days shall happen to be Sunday, and then in and upon the Monday next following; the said several fairs to be kept and holden in the street within the city aforesaid commonly called *King-Street*, situate within the parishes of St. Nicholas and St. Stephen, which street is terminated at the northern end thereof by *the Merchants' Hall* in the same place, and at the southern end of the same street by the river Avon. We also grant to the mayor, burgesses and commonalty of the same city and to their successors, that they and their successors hereafter for ever may have, hold and keep and may be enabled and empowered to have, hold and keep five fairs for the buying and selling of all and all sorts of horses, mares and colts on the days next mentioned; viz' the first of those fairs to be holden and kept in and upon the twenty-fifth day of January in the street called *Temple-street* and to continue during the feast of St. Paul; the second of the said fairs to be holden and kept at *Redclift-hill* in and upon the twenty-fifth and twenty-sixth days of March; the third of those fairs to be holden and kept in *Broad-mead* in the parish of St. James in and upon the twenty-fifth and twenty-sixth

Five horse-fairs to be holden annually.

in & sup primum diem jovis prox' sequen' fest' Sci' Michis archi & p illum diem duratur' nisi aliqu' prius menconat' quatuor dier' acciderit esse dies dnicus & tunc in & sup diem lune px sequen' dict' sepal' fer' sive nundin' diebz p'deis custodiend' & tenend' in vico infra civitat' p'dict' coit' vocat' King-street scituat' infra poch' de Sanct' Nicholao & Sancto Stephan' qui vicus determinat' septentrional' fine ejusdem cum aula mercator' ibidem necnon austral' fine ejusdem vici cum fluvio Avon' Necnon concedimus majori burgensibz & coitati civitat' p'dict' & successoribz suis quod ipsi et successores sui de cet'o imppm h'eant teneant & custodiant ac h'ere tenere & custodire valeant & possint quinq' ferias sive nundin' pro empcoe & vendicoe omn' & omnimod' equor' equar' & equuleor' diebz px menconat' viz' prim' ear' fer' tenend' & custodiend' in & sup vicesimum quintum diem mensis januarij in vico vocat' Temple-street & continuare duran' fest' Sci' Pauli secund' p'dict' fer' tenend' & custodiend' apud Redclift-hill in & sup vicesimum quintum et vicesimum sextum dies mensis martij tertiam ear' feriar' tenend' & custodiend' in Broad-mead in paroch' Sci' Jacobi in & sup vicesimum quintum & vicesimum sext' dies

days of May; the fourth of these fairs to be holden and kept in *Temple-street* aforesaid in and upon the twenty-fifth and twenty-sixth and twenty-seventh days of September; and the fifth of the said fairs to be holden and kept upon *Redclift-hill* in and upon the twenty-fifth, twenty-sixth and twenty-seventh days of November; the said several fairs to be holden and kept in the several places and days aforesaid (unless any of the said days shall happen to be Sunday, and then in and upon the Monday next following) yearly and every year hereafter for ever, according to the intention of these our letters patent; together with *court of pie-powder* to be kept in the same places at the time of the same several fairs, and also with all liberties and free customs belonging to such court; together with toll, stallage,<sup>20</sup> piccage, fines, ameracements and all other profits, commodities and emoluments whatever pertaining to, respecting, arising from, happening or belonging to such markets or fairs and courts of pie-powder respectively. Nevertheless so that the said several markets or fairs or any of them be not to the prejudice of the neighbouring markets or fairs. **Moreover** we will and by these presents for us, our heirs and successors we grant to the

Court of  
pie-powder  
granted

mensis maij quart' ear' feriar' tenend' & custodiend' in Temple-street p'dict' in & sup vicesimnm quintum vicesimum sextum & vicesimum septimum dies mensis Septembris & quint' p'dict' fer' tenend' & custodiend' sup' Redcliffe-hill in & sup vicesimum quintum vicesimum sextum & vicesimum septimum dies mensis Novembris p'dict' sepal' fer' sive nundin' in sepalibz locis & diebz p'dcis nisi aliquis p'dict' dier' acciderit esse dies dnicus & tunc in & sup diem lune px sequent' tenend' & custodiend' annuatim & quolt anno de cetero imppm secundum intencon' har' lrar' nrar' paten' unacum cur' ped' pulverizat' ibm tempore ear'dem sepal' fer' sive nundin' tenend' necnon cum omnibz libertatibz & libis consuetud' ad hmoi cur' ptinen' simul cum theolon' stallag' piccag' finibz amerciamen' ac omibz al' p'fic' comoditat' & emolument' quibuscunq' ad humoi mercat' fer' sive nundin' & cur' ped' pulverizat' respective ptinen' spectan' emergen' acciden' sive contingen' Ita tamen quod dict' sepal' mercat' sive nundin' aut eor' aliqu' non sint vel sit ad nocument' vicin' mercat' feriar' sive nundinar' **Volumus** insup ac p p'sentes pro nob' hered' & successor' n'ris concedimus p'fat' major' burgensibz & coitati civitat' p'dict' &

(20) *Piccage*] ' is money paid in fairs for breaking of the sage it seems somewhat different from *stallage*. ' ground to set up boothes or standings.' Yet in this pas-

A confirma-  
tion of all  
former grants.

said mayor, burgesses and commonalty of the city aforesaid and to their successors, that the same mayor, burgesses and commonalty and citizens of the said city and their successors hereafter for ever may have, hold, use and enjoy and may be enabled and empowered fully to have, hold, use and enjoy for ever all gifts, grants, courts, liberties, exemptions, franchises, acquittances, articles, immunities and customs, contained, declared, explained, specified or confirmed as well in these presents as in any other charters or letters patent of us or of any of our progenitors or predecessors late kings or queens of England; and also all and singular other franchises, privileges, lands, tenements and hereditaments, liberties, customs, exemptions and acquittances as well by land as by water, which have been formerly lawfully granted to the mayor, burgesses and commonalty, or to the citizens, burgesses or inhabitants of the said city, or have been heretofore lawfully used or enjoyed by them or any of them by any name or names of incorporation, and which by these presents are not changed; and them for us, our heirs and successors, as far as lies in our power, to the said mayor, burgesses and commonalty of the said city and to their successors for ever of our especial favour by virtue of these presents we give, restore, approve of and confirm by these

successor' suis quod iidem major burgenses & coitas & cives civitat' p'dict' & successores sui de cetero imppm h'eant teneant utantur & gaudeant ac plene habere tenere uti & gaudere possint & valeant imppm omn' donacoēs concessiones curias libtates exempcoēs franchises' quietanc' articul' imunitat' & consuetudin' tam in hijs p'sentibz quam in aliquibz al' chartis sive lris paten' n'ris seu aliquor' vel alicujus progenitor' sive antecessor' nror' nup regum vel reginar' Angl' content' declarat' explanat' specificat' seu confirmat' aceciam omnia et singul' al' franchises' privileg' terr' tenement' & hereditament' lib'tat' consuetud' exempcoēs & quietancias tam p terram qm p aquam [*supple* quæ] majori burgensibus et coitati vel civibz burgensibz aut inhabitantibz civitat' p'dict' p'antea l'itime concess' fuerunt vel p illos vel eor' aliquem p aliquod noen sive p aliqua noia incorporacois antehac l'itime us' vel gavis' fuer' & que p p'sentes non mutat' existunt Et ea pro nob' hered' & successoribz n'ris quantum in nob' est p'fat' major' burgensibz & coitat' civitat' p'dict' & successor' suis imppm de gra n'ra sp'iali tenore p'sencium damus restituimus approbamus

presents. And moreover we will and by these presents for us, our heirs and successors we grant to the said mayor, burgesses and commonalty of the said city and to their successors, that they and their successors shall be restored to all and singular the authorities, jurisdictions, liberties, privileges, franchises, acquittances, immunities, and free customs of their predecessors, and we restore them to them and their successors by these presents as fully, freely and intirely, as they or their predecessors at any times of any of our progenitors or predecessors formerly kings or queens of England had, exercised, used or enjoyed them, or had a right to have, exercise, enjoy or use them, or even more freely, fully, and usefully: willing, and for us, our heirs and successors of our special favour and from our certain knowledge and mere motion granting to the same mayor, burgesses and commonalty of the city aforesaid and to their successors, that altho' the mayor, burgesses and commonalty of the city aforesaid or their predecessors hitherto have not used or perhaps have misused any one or more authorities, jurisdictions, liberties, privileges, franchises, immunities, acquittances, and free customs contained in the letters patent and charters aforesaid or in any of them or any of their customs in any case arising, nevertheless they the

Non-usage or  
ill-usage of  
privileges  
shall be no im-  
pediment.

& confirmamus p p'sentes Ac insup volumus & p p'sentes pro nobis hered' & successoribz n'ris concedimus p'fat' majori burgensibz & coitati civitat' p'dict' & successoribz suis quod ipi & successores sui ad oia & singul' autoritat' jurisdictiones libtates privileg' franchises' quietanc' imunitat' & liber' consuetudin' predecessor' suor' restituantur ac eadem ipis & successor' suis restituimus p p'sentes adeo plene libe & integre sicut ipi vel p'decessor' sui ea aliquibz temporibz aliquor' progenitor' vel antecessor' nror' quondam regum vel reginar' Anglie liberius plenius & utilius habuerunt ex'cuerunt usi vel gavisifuer' vel h'ere ex'cere gaudere vel uti debuerunt Volentes ac pro nob' hered' & successor' n'rs de gra n'ra sp'iali ac ex c'ta scienc' & mero motu n'ris eidem majori burgensibz & coitati civitat' p'dict' & successor' suis concedentes qd licet major burgenses & coitas civitat' p'dict' aut predecessor' sui aliqu' vel aliquibz autoritat' jurisdiction' libtat' privileg' franchises' imunitat' quietanc' & liber' consuetudin' in lris paten' [supple &] ca'rtis p'dict' seu ear' aliqua content' aut alijs consuetudin' suis aliquo casu emergen' etiamsi hactenus us' non fuer' seu forsan abus' fuer' ipi tamen major burgenses & coitas civitat' p'dict' &

mayor, burgesses and commonalty of the city aforesaid and their successors may hereafter for ever fully enjoy and use the same their authorities, jurisdictions, liberties, privileges, franchises, immunities, acquittances and free customs whatever wholly unused or misused without hindrance or impediment of us, our heirs or successors or of any justices, sheriffs, coroners, eschaetors, clerks of markets, or of any other bailiffs or officers whatever of us, our heirs or successors; any cause, matter or thing whatever had, done or provided to the contrary in times past notwithstanding. Wherefore we will and by these presents for us, our heirs and successors strictly enjoining we order, that the mayor, burgesses and commonalty of the city aforesaid and their successors may have, hold, use and enjoy, and may be enabled and empowered fully to have, hold, use and enjoy for ever all the liberties, authorities, and acquittances and other the premisses aforesaid according to the tenor and effect of these our letters patent, without hindrance or impediment of us, our heirs or successors, of any justices, sheriffs, or other bailiffs or officers whatever of us, our heirs or successors: **to have**, hold and enjoy all and singular the premisses aforesaid granted above by these presents to the mayor, burgesses and commonalty of the said city and to their successors for ever; to be holden of

The tenure.

successores sui eisdem autoritat' juridicon' libtat' privileg' franchises' imunitat' quietanc' & liber' consuetudin' suis quibuscunq' totalit' non us' seu abus' [*supple* &] eor' quolt de cetero imppm plene gaudeant & utantur sine occone vel impediment' n'ri hered' vel successor' nror' aut justic' vicecomit' coronator' escaetor' cleric' mercat' aut aliquor' al' ballivor' seu ministror' nror' hered' vel successor' nror' quorcunq' aliqua causa materia seu re quacunq' temporibz retroactis in contrar' inde h'it' fact' seu provis' non obstan' Quare volumus ac p p'sen' pro nobis hered' & successoribz n'ris firmit' injungen' p'cipimus quod p'fat' major burgenses & coitas civitat' p'dict' & successores sui habeant teneant utantur & gaudeant ac plene h'ere tenere uti & gaudere possint & valeant imppm omn' libtat' autoritat' & quietanc' ac al' p'missa p'dict' scdm tenor' & effect' har' lrar' n'rar' paten' sine occone vel impedimento n'ri hered' vel successor' nror' justic' vicecomit' sive al' ballivor' seu ministror' nror' hered' vel successor' nror' quorcunq' **Habend'** tenend' & gaudend' omnia & singul' p'miss' p'dict' supius p p'sentes concess' p'fat' majori burgensibz & coitati civitat' p'dict' & successor' suis imppm Tenend' de nobis hered' &



us, our heirs and successors, as they were formerly holden: and rendering and paying to us, our heirs and successors yearly as many, as great, such, the same, and such sort of rents, services, sums of money and demands whatever, as many as, as great as, such as and which ought to be rendered or paid for the premisses or for any one or more of them: strictly commanding, &c. because express mention <sup>21</sup> of the true yearly value or certainty of the premisses or any of them, or of other gifts or grants by us or any of our progenitors or predecessors to the aforesaid mayor, burgesses and commonalty of the said city heretofore made, is not made in these presents; any statute, act, ordinance, provision, proclamation or restriction to the contrary thereof had, made, done, ordained or provided, or any other thing, cause or matter whatsoever in any wise notwithstanding. **In** witness whereof we have caused these our letters to be made patents. Witness ourself at Westminster the second day of June in the 36th year of our reign. <sup>22</sup>

*Pigott.*

By writ of privy seal for a fine in the Hanaper £6 13s. 4d.

*Guildford, C. S.*

successoribus n'ris ut prius tenebantur Ac reddend' & solvend' nob' hered' & successoribus n'ris annuatim tot tant' tal' eadem & humoi redditus servitia denar' summas & demand' quecunq' quot quant' qual' & que pro p'missis seu eor' aliquo vel aliquibz reddi seu solvi debent Eo qd express' menco &c **In** cujus rei &c Teste meipo apud Westm' scdo die Junij.

Per breve de privato sigillo.

(21) *Mention of the true.*] It will be observed that the Latin copy from the Rolls does not contain the whole clause at length: the remainder of the English therefore is from this place transcribed from the former translations.

(22) The title of this charter in the Roll (accidentally omitted in it's proper place) is this, *Quarta pars Paten' de anno R. B. Caroli scdi tricesimo Sexto.*

\* *Memorandum.*

That the tenth day of July after the date of these letters patents, by virtue and in execution of the same We Charles, Marquess of Worcester, Sir John Smyth, bart', Sir James Herbert, knt', and John Fitzherbert, esq' in the guildhall of the said city of Bristol all and singular the oaths to the several persons respectively in these letters patents directed by us to be administered, according to the tenor and exigence of the said letters patents did administer; William Merrick and Richard Gibbons, gentlemen, being only absent.<sup>23</sup>

Worcester.  
James Herbert.  
John Fitzherbert.

\* This document is copied from the former translations of the charters.

(23) There are some circumstances attending the preceding charter, which merit consideration. King James some few weeks before his abdication did by proclamation restore the ancient government of the corporation, and replace it on it's former charter, the resignation of which ancient government given above p' 242 was cancelled by the attorney-general and delivered to the mayor. It is questionable therefore, how far this charter 36 Charles 2, is to be considered as valid. The burgesses in general before the time of Qu' Anne's

charter in 1710, seem to have considered it as void: for they refused to serve the offices, and the common-council did not compel them by fine, as it might have done, if that charter had been esteemed valid. On the other hand Qu' Anne in her charter supposes that of 36 Charles 2 to be in force; for she grants a pardon to those who have offended against it, and she confirms all former charters, unless contradicted by her own. It is a question of some difficulty and of considerable moment, for the validity of many of the acts of the common-council at this day depends upon it: but altho' I have seen and heard legal opinions relative to it, yet it does not seem hitherto determined.

## XXXVII.

### CHARTER 24 JULY, 9 ANNE, A' D' 1710.

**Anne** by the grace of God of Great-Britain, France and Ireland, queen, defender of the faith, &c; To all, to whom these our present letters shall come, sendeth health. **Whereas** our beloved and faithful subjects the mayor, burgesses and commonalty of our city of Bristol have by their humble petition prayed us to grant to them and to their successors all and singular the powers, jurisdictions and franchises, which they, the mayor, burgesses and commonalty of the said city of Bristol now enjoy by virtue of grants or letters patent heretofore granted to them by our royal predecessors; together with such additions, regulations and privileges, as shall seem to us out of our great wisdom proper to grant to them for the

Petition of the mayor, burgesses and commonalty.

### XXXVII. *Carta 24 Julii, 9 Annæ Reg' i' e' 1710.*

(1) **Anna** Dei gratiâ Magnæ Britanniæ, Franciæ et Hiberniæ regina, fidei defensor &c.; omnibus ad quos præsentis literæ nostræ pervenerint, salutem. **Cum** dilecti et fideles subditi nostri major, burgenses, et communitas civitatis nostræ Bristoll' per humilem eorum petitionem nobis supplicaverint concedere eis et successoribus suis omnes et singulas potestates, jurisdictiones et franchises, quas ipsi major, burgenses et communitas civitatis Bristoll' prædictæ virtute concessionum sive literarum patentium eis antehac concessarum per regales nostros antecessores nunc gavisî sunt, una cum talibus additionibus, regulationibus et privilegiis, quales nobis ex summâ sapientiâ nostrâ conveniens videretur eis concedere pro stabilimento et bono regimine civitatis

(1) Transcribed from a copy in the possession of Charles Harford, Esq. date of the original, is well engrossed and regularly attested. It was written very soon after the

The queen's  
motives.

stability and good government of our said city : now **know ye** that we graciously affecting the improvement of our city of Bristol and the commonalty of the same ; and willing that in the aforesaid city and county of the same one certain and undoubted method may continually be observed for the keeping of the peace and for the better rule and government of the people there ; and that the said city may for ever be and remain a city of peace and quiet, for the reward of the good and terror of the bad ; and hoping that, if the citizens of the same city and their successors shall be enabled by our grant to enjoy more ample liberties, profits and privileges, then they may feel themselves more especially and more strongly bound to give and pay their service to us, our heirs and successors ; out of our special grace, and from our certain knowledge and mere inclination, and moreover for the sake of gratifying our said beloved and faithful subjects the mayor, burgesses and commonalty of our said city of Bristol by granting their said petition ; **we have** willed, determined, declared, ordained and granted, and by these presents we do for ourselves, our heirs and successors, will, determine, declare, ordain and grant that the said city of Bristol be and remain for ever an incorporated city and county by itself, bounded and limited by such and as ample and extensive

Bristol to remain a city and county by itself.

nostræ prædictæ : **Sciatis** modo, quòd nos meliorationem civitatis nostræ Bristoll' et communitatis ejusdem gratiosè affectantes, et volentes quòd in civitate prædictâ et comitatu ejusdem continuè habeatur unus certus et indubitatus modus pro custodiâ pacis et meliori regimine et gubernatione populi ibidem ; et quòd civitas prædicta in perpetuum sit et permaneat civitas pacis et quietis ad præmium bonorum et terrorem malorum ; sperantesque quòd si cives ejusdem civitatis et successores sui amplioribus ex concessione nostrâ frui et gaudere poterunt libertatibus, proficiis et privilegiis, tunc ad servitium nobis, hæredibus et successoribus nostris impendendum et exhibendum specialius fortiùsque se sentiant obligatos ; de gratiâ nostrâ speciali, ac ex certâ scientiâ et mero motu nostris, necnon ad gratificandum præfatis dilectis et fidelibus subditis nostris majori, burgensibus et communitati civitatis nostræ Bristoll' prædictæ concedendo prædictam suam petitionem ; **Volumus**, constituimus, declaravimus, ordinavimus et concessimus, ac per præsentés pro nobis, hæredibus et successoribus nostris volumus, constituimus, declaramus, ordinamus, et concedimus, quòd prædicta civitas Bristoll' sit et permaneat in perpetuum civitas incorporata et comitatus de se, talibus et in tam amplis et largis finibus, circuitibus, et præcinctis

boundaries, circuits and precincts both by land and water, as the same city and county of the same have been bounded and limited at any time within the space of forty years last past; and also that the said mayor, burgesses and commonalty of the said city of Bristol and their successors for ever be, shall be, and remain one body corporate and politic in deed, fact and name by the name of *the mayor, burgesses and commonalty* of the city of Bristol. **And we have** assigned, nominated, appointed and confirmed, and we do by these presents for ourselves, our heirs and successors assign, nominate, appoint and confirm our beloved *Robert Bound, Esquire*, now mayor of the said city, to be the present mayor of the same city of Bristol; willing that the same Robert Bound shall be and shall continue in the office of <sup>Mayor nomi-</sup> mayor of the same city unto and upon the 15th day of September next to come, and from thence until some other person shall be chosen, made, and sworn into that office, if the same Robert Bound shall so long behave himself well in the said office. We have also assigned, nominated, appointed and confirmed, and we do by these presents for us, our heirs and successors assign, nominate, appoint and confirm our beloved and faithful *Robert* <sup>Recorder no-</sup> *Eyre, knight*, one of our justices appointed for holding pleas <sup>minated.</sup>

tam per aquam quam per terram terminata et limitata, prout eadem civitas et comitatus ejusdem ad aliquod tempus infra spatium quadraginta annorum jam ultimo elapsorum terminati et limitati fuerunt; ac etiam quòd præfati major, burgenses, et communitas dictæ civitatis Bristoll' et successores sui in perpetuum sint, erunt et permaneant unum corpus corporatum et politicum in re, facto et nomine per nomen majoris, burgensium et communitatis civitatis Bristolliaë. **Et assignavimus**, nominavimus, constituimus et confirmavimus; ac per præsentem pro nobis, hæredibus et successoribus nostris assignamus, nominamus, constituimus et confirmamus dilectum nobis Robertum Bound, armigerum, modò majorem dictæ civitatis, fore præsentem majorem ejusdem civitatis Bristoll'; volentes quòd idem Robertus Bound in officio majoris ejusdem civitatis erit et continuabit usque ad et in decimum quintum diem Septembris proximè futurum, et abinde quousque unus alius ad officium illud electus, perfectus et juratus fuerit, si idem Robertus Bound in officio prædicto se benè tam diu gesserit. Assignavimus etiam, nominavimus, constituimus et confirmavimus, ac per præsentem pro nobis, hæredibus et successoribus nostris assignamus, nominamus, constituimus et confirmamus dilectum et fidelem nostrum *Robertum Eyre, militem*, unum justiciariorum nostrorum ad placita coram nobis tenenda

The recorder  
appointed first  
alderman.

Aldermen no-  
minated.

before us, the present recorder of the said city, to be and to remain recorder of the city of Bristol, as long as he shall behave himself well in the same office. Moreover we have assigned, nominated, appointed and confirmed, and we do by these presents for us, our heirs and successors assign, nominate, appoint and confirm the aforesaid Robert Eyre the present first alderman of the said city of Bristol to be and to remain, and every recorder of the same city in future to be and to remain, first alderman of the said city of Bristol, as long he shall remain recorder of the same city: and moreover our beloved *William Jackson, William Swymmer, Robert Yate, Samuel Wallis, John Batchelor, Esquires; William Daines, John Hawkins, William Lewis, knights; Francis Whitchurch and Nathaniel Day, Esquires*, the present aldermen of the said city, and also *George Stephens, Esq'*, lately elected to be one of the aldermen of the said city of Bristol, to be and to remain aldermen of the said city of Bristol, and to continue in the said office, as long as they shall respectively behave themselves well in the same. We will moreover, and by these presents for us, our heirs and successors we grant to the mayor, burgesses and commonalty of our city of Bristol and to their successors, that there may and shall be for ever out of the better and more discreet citizens

assignatorum, presentem recordatorem civitatis prædictæ, fore et permanere recordatorem civitatis Bristoll', quam diu se bene gesserit in eodem officio. Necnon assignavimus, nominavimus, constituimus et confirmavimus, ac per præsentem pro nobis, hæredibus et successoribus nostris assignamus, nominamus, constituimus et confirmamus præfatum Robertum Eyre presentem primum aldermannum civitatis Bristoll' prædictæ fore et permanere, et quemlibet alium recordatorem ejusdem civitatis in futuro esse et permanere primum aldermannum civitatis Bristoll' prædictæ, quamdiu recordator ejusdem civitatis remanserit: necnon dilectos nobis, *Willelmum Jackson, Willelmum Swymmer, Robertum Yate, Samuelem Wallis, Johannem Batchelor, armigeros; Willelmum Davis, [lege Daines] Johannem Hawkins, Willelmum Lewis, milites; Franciscum Whitchurch, et Nathanielem Day, armigeros, præsentem aldermannos civitatis prædictæ; necnon Georgium Stephens, armigerum, nuper electum esse unum aldermannorum civitatis Bristoll' prædictæ, fore et permanere aldermannos civitatis Bristoll' prædictæ, et continuandos in officio prædicto, quam diu se benè respectivè gesserint in eisdem. Volumus insuper et per præsentem pro nobis, hæredibus et successoribus nostris concedimus majori, burgensibus et communitati civitatis nostræ Bristoll' et successoribus suis, quòd in perpetuum sint*

and burgesses of the city of Bristol aforesaid forty-two persons Forty-two persons, besides the mayor, appointed for a common-council. besides the mayor of the said city for the time being, who shall be and shall be called the common-council of the city of Bristol. And for the better execution of our will and grant in this respect we have assigned, nominated, appointed, and confirmed, and we do by these presents for us, our heirs and successors assign, nominate, appoint and confirm the said *Robert Bound* now mayor of the city of Bristol aforesaid, and also the aforesaid *Robert Eyre, knight, William Jackson, William Swymmer, Robert Yate, Samuel Wallis, John Batchelor, William Daines, John Hawkins, William Lewis, Francis Whitchurch, Nathaniel Day, George Stephens*, aldermen of the said city; and our beloved *William Whitehead, esq'* lately The common-council nominated. mayor of the said city, and *James Haynes*, and *Thomas Clements*, esquires, the present sheriffs of the said city of Bristol; and our beloved *Giles Merrick, Richard Bayly, Abraham Elton, Christopher Shuter, Thomas Hort, Henry Whitehead, Antony Swymmer, Henry Walter, Morgan Smith, Abraham Hooke, Nicholas Hicks, Onesiphorus Tyndall, Thomas Tyler, Philip Freeke, John Day*, late sheriffs of the said city of Bristol; and also *William Bayly, Hugh Bickham, John Loyd* and *Edmund Mountjoy*, citizens and burgesses and the present

et erunt de melioribus et discretioribus civibus et burgensibus civitatis Bristoll' prædictæ quadraginta et duæ personæ præter majorem civitatis prædictæ pro tempore existentem, quæ erunt et vocabuntur commune-concilium civitatis Bristoll'. Et pro meliori executione voluntatis et concessionis nostræ in hâc parte, assignavimus, nominavimus, constituimus et confirmavimus, ac per præsentés pro nobis, hæredibus et successoribus nostris, assignamus nominamus, constituimus et confirmamus præfatum *Robertum Bound*, modò majorem civitatis Bristoll' prædictæ, necnon præfatum *Robertum Eyre, militem, Willelmum Jackson, Willelmum Swymmer, Robertum Yate, Samuelem Wallis, Johannem Batchelor, Willelmum Daines, Johannem Hawkins, Willelmum Lewis, Franciscum Whitchurch, Nathanielem Day, Georgium Stephens*, aldermannos civitatis prædictæ; et dilectos nobis *Willelmum Whitehead, armigerum*, nuper majorem civitatis Bristoll' prædictæ, et *Jacobum Haynes*, et *Thomam Clements, armigeros*, præsentés vicecomites civitatis Bristoll' prædictæ; et dilectos nobis *Egidium Merrick, Ricardum Bayly, Abrahamum Elton, Christophorum Shuter, Thomam Hort, Henricum Whitehead, Antonium Swymmer, Henricum Walter, Morganum Smith, Abraham Hooke, Nicholaum Hicks, Onesiphorum Tyndall, Thomam Tyler, Philippum Freeke, Johannem Day*, nuper vicecomites comitatûs civitatis Bristoll' prædictæ; necnon *Willelmum Bayly, Hugonem Bickham, Johannem Loyd, et Edmundum Mountjoy*, cives et burgenses et præsens commune-concilium civitatis Bristoll' prædictæ, fore et

The sheriffs  
nominated and  
confirmed.

common-council of the city of Bristol aforesaid, to be and to remain common-council-men and the common-council of the said city of Bristol, to be continued in the said offices of common-council-men of the said city of Bristol, as long as they shall respectively behave themselves well in the said offices. And we have further assigned, nominated, appointed and confirmed and we do by these presents for us, our heirs and successors assign, nominate, appoint and confirm our beloved *James Haynes* and *Thomas Clements, esquires*, now sheriffs of our said city of Bristol and of the county of the same city, to be and to remain sheriffs of the city of Bristol and the county of the same; to be continued in the aforesaid office unto and upon the 15th day of September which shall be next to the date of these presents; and from thence until two others of the common-council of the said city of Bristol for the time being shall be elected and sworn into the office of sheriffs of the county of the aforesaid city, if the same *James Haynes* and *Thomas Clements* shall respectively so long behave themselves well in the said office of sheriffs. We have also assigned, nominated, appointed, and confirmed, and we do by these presents for us, our heirs and successors assign, nominate, constitute and confirm our beloved *John Romsey, esq'*, the present common-clerk of our said

The town-  
clerk ap-  
pointed.

permanere homines de communi-concilio, (Anglicè *common-councilmen*) et commune concilium civitatis Bristoll' prædictæ, continuandos in dictis officiis hominum de communi-concilio civitatis Bristoll' prædictæ, quam diu se benè respectivè gesserint in eisdem officiis. Et ulterius assignavimus, nominavimus, constituimus, et confirmavimus, ac per præsentis pro nobis, hæredibus et successoribus nostris assignamus, nominamus, constituimus et confirmamus dilectos nobis *Jacobum Haynes* et *Thomam Clements, armigeros*, modò vicecomites civitatis nostræ Bristoll' prædictæ et comitatûs ejusdem civitatis, fore et permanere vicecomites civitatis Bristoll' et comitatûs ejusdem, continuandos in officio prædicto usque ad et in prædictum decimum quintum diem Septembris proximè futurum [*supple* post] datum præsentium; et ab inde quousque duo alii de communi-concilio dictæ civitatis Bristoll' pro tempore existente in officiis vicecomitum comitatûs civitatis prædictæ electi et jurati fuerint, si iidem *Jacobus Haynes* et *Thomas Clements* in officiis prædictis vicecomitum respectivè tam diu se benè gesserint. Assignavimus etiam, nominavimus, constituimus, et confirmavimus, ac per præsentis pro nobis, hæredibus et successoribus nostris assignamus, nominamus, constituimus et confirmamus dilectum nobis *Johannem Romsey, armigerum*, præsentem communem-clericum civitatis nostræ Bristoll' prædictæ, fore



city of Bristol, to be and to remain common-clerk of the city of Bristol aforesaid, to be continued in the said office, as long as he shall behave himself well in the same. And further we have assigned, nominated, appointed and confirmed, and we do by these presents for ourselves, our heirs and successors assign, nominate, appoint and confirm our beloved *Nathaniel Wade, esq'*, the present steward of the court of the sheriff of our said city of Bristol, to be and to remain steward of the court of The steward of the sheriff's court nominated. the sheriff of the county of the city of Bristol aforesaid, to be continued in that office, as long as he shall behave himself well in the same. Moreover we have assigned, nominated, appointed and confirmed, and we do by these presents for us, our heirs and successors assign, nominate, appoint and confirm our beloved *Martin Nelmes*, and *James Millard, gentlemen*, The two coroners nominated. the present coroners of our said city of Bristol, to be and to remain coroners of the said city of Bristol, to be continued in those offices as long as they shall respectively behave themselves well in the same. **And whereas** by the death of some of the common-council of the said city, and by reason of the contemptuous refusal of certain burgesses of the said city to be of the common-council of the said city, to which office they have Seven vacancies in the common-council. been respectively elected in due manner, seven persons are now

et permanere communem-clericum civitatis Bristoll' prædictæ, continuandum in dicto officio, quam diu se benè gesserit in eodem. Et ulterius assignavimus, nominavimus, constituimus et confirmavimus, ac per præsentis pro nobis, hæredibus et successoribus nostris assignamus, nominamus, constituimus et confirmamus, dilectum nobis *Nathanielem Wade, armigerum*, præsentem senescallum curiæ vicecomitis civitatis nostræ Bristoll' prædictæ, fore et permanere senescallum curiæ vicecomitis comitatûs civitatis Bristoll' prædictæ, continuandum in officio illo, quamdiu se benè gesserit in eodem. Necnon assignavimus, nominavimus, constituimus et confirmavimus, ac per præsentis pro nobis, hæredibus et successoribus nostris assignamus, nominamus, constituimus et confirmamus dilectos nobis *Martinum Nelmes* et *Jacobum Millard, generosos*, præsentis coronatores civitatis nostræ Bristoll' prædictæ, fore et permanere coronatores civitatis Bristoll' prædictæ, continuandos in officiis illis quamdiu se bene respectivè gesserint in eisdem. **Cumque per** mortem aliquorum de communi-concilio civitatis prædictæ et propter contemptuosam recusationem quorundam burgensium civitatis prædictæ, esse de communiconcilio civitatis prædictæ, ad quod quidem officium debito modo respectivè electi fuerunt, septem personæ

The mayor and present common-council shall fill up the vacancies.

wanting for filling up the aforesaid number of forty-two common-council-men of the said city beside the mayor of the said city; know ye therefore that we will, and by these presents for us, our heirs and successors we direct and ordain, that the mayor of the said city for the time being and the persons already nominated and appointed common-councilmen of the said city or the greater part of them, shall assemble at some time or times to be appointed for that purpose by the mayor of the said city for the time being before the 15th day of September next following; and also that they being thus assembled shall by their votes choose and make so many of the burgesses of the said city of Bristol to be common-council-men of the same city, as shall substitute and fill up the number of forty-two of the common-council of the said city besides the mayor of the same city. **And for the better** execution of our royal good-will in this respect, we further will and by these presents strictly enjoying the same mayor, burgesses and commonalty of the city of Bristol we direct and command, that the persons already nominated and appointed of the common-council of the said city or the greater part of them shall immediately and without delay make and appoint reasonable laws and ordinances in writing, with such pains, fines, amercements and penalties, as

Penalties imposed on such as refuse to serve offices.

modò desunt ad complendum prædictum numerum quadraginta et duorum de communi-concilio civitatis prædictæ præter majorem civitatis prædictæ; sciatis igitur quòd volumus et per præsentis pro nobis, hæredibus et successoribus nostris præcipimus et ordinamus quòd major civitatis prædictæ pro tempore existens et personæ prænominatæ et constitutæ homines de communi-concilio civitatis prædictæ vel major pars eorum ad aliquod tempus vel aliqua tempora per majorem civitatis prædictæ pro tempore existentem ante decimum quintum diem Septembris proximè sequentem adinde appunctuanda sese congregabunt; ac etiam quòd illi sic assemblati per eorum suffragia eligent et perficient tot de burgensibus civitatis Bristoll' prædictæ fore et esse homines de communi-concilio ejusdem civitatis, quot succenturient et suppliant [*lege suppleant*] numerum quadraginta et duorum de communi-concilio civitatis prædictæ præter majorem ejusdem civitatis. **Et pro meliori** executione regalis benevolentiae nostrae in hâc parte ulterius volumus, ac per præsentis eisdem majori, burgensibus et communitati civitatis Bristoll' firmiter injungendo præcipimus et mandamus, quod personæ prænominatæ et constitutæ de communi-concilio civitatis prædictæ vel major pars eorum de repente et sine dilatione facient et constituent leges et ordinationes rationabiles in scripto, cum talibus poenis, finibus, amerciamentis et poenalitibus, qual' eis vel

shall seem fit to them or to the greater part of them, for the purpose of compelling and obliging every person duly elected into the office of common-council-man or into any other office by the same mayor, burgesses and commonalty of the city of Bristol or by the common-council of the same city, to take upon him and execute the office of common-council-man of the said city, and any other office of the said city, to which he shall respectively be elected. **And we will further,** and by these presents for us, our heirs and successors we grant and confirm to the said mayor, burgesses and commonalty of the city of Bristol and to their successors, that the common-council of the said city for the time being, or the greater part of them, may and shall have full power and authority of enacting, appointing, ordaining, making, and settling from time to time in writing any reasonable laws, constitutions and ordinances whatever, which shall seem to them, or to the greater part of them collected and assembled for this purpose, likely to be good, useful, necessary and honourable, according to their sound discretion, for the good rule and government of the aforesaid city, the suburbs, precincts and liberties of the same, and of all and singular officers, attendants, artificers, inhabitants and residents whatever within the said city, the suburbs, liberties and precincts

Common-council empowered to make ordinances for the government of the city,

majori parti eorum expediendum videbitur, ad compellendum et coercendum quamcunque personam in officium hominis de communi concilio, vel in aliquod aliud officium per eosdem majorem, burgenses et communitatem civitatis Bristoll' vel per commune-concilium ejusdem civitatis debito modo electam super se suscipere et exequi officium hominis de communi-concilio prædictæ civitatis et quodlibet aliud officium civitatis prædictæ in [*supple* quod] respectivè electus fuerit. **Et ulterius** volumus ac per præsentés pro nobis, hæredibus et successoribus nostris concedimus et confirmamus præfatis majori, burgensibus et communitati civitatis Bristoll' et successoribus suis, quòd commune-concilium civitatis prædictæ pro tempore existens, vel major pars eorum habeant et habebunt plenam potestatem et auctoritatem condendi, constituendi, ordinandi, faciendi et stabiliendi de tempore in tempus leges, constitutiones et ordinationes rationabiles in scripto quæcunque, quæ eis aut majori parti eorum ad hoc congregat' et assemblat' bona, salubria, utilia, necessaria et honesta juxta eorum sanas discretionés fore videbuntur pro bono regimine et gubernatione civitatis prædictæ, suburbiorum, præinctuum et libertatum ejusdem, ac omnium et singulorum officiariorum, ministrorum, artificum, inhabitantium et residentium quorumcunque infra civitatem prædictam, suburbia, libertates et præinctus ejusdem pro tempore

of the same for the time being; and for declaring in what manner and order the aforesaid common-council of the said city and all and each the artificers, inhabitants, and residents within the said city, the suburbs, liberties and precincts of the same shall behave and conduct themselves, and what manner and order they shall use; and for the further public good, common advantage and good rule of the said city, the suburbs, liberties, and precincts of the same; and for the victualling of the same: and [of appointing, ordaining, &c.] all other things and cases whatever touching or any ways concerning the said city, the suburbs, liberties and precincts of the same. And [we will] that the common-council of the said city or the greater part of them, as often as they shall enact, make, ordain, or settle laws, constitutions and ordinances of this kind in form aforesaid, shall make, ordain, impose, limit and provide pains, punishments and penalties such and of such kind by fines and ameracements or by both of them in and upon all offenders against the laws, ordinances and constitutions of this sort or against any one or more of them, such as it shall seem to the said common-council of the city aforesaid for the time being or to the greater part of them to be necessary, convenient and requisite to make, ordain, impose, limit and provide for the

for regulating  
the forms of  
the common-  
council,

and the con-  
duct of the  
other inhabi-  
tants;

and for vic-  
tualling the  
city.

Common-  
council have  
power to im-  
pose fines, and  
penalties.

existentium; ac pro declaratione quo modo et ordine prædictum commune-concilium civitatis prædictæ, ac omnes et singuli artifices, inhabitantes et residentes infra civitatem prædictam, libertates, suburbia et præcinctus ejusdem in officiis, functionibus, mysteriis, artificiis et negotiis suis infra civitatem prædictam, suburbia, libertates et præcinctus ejusdem sese habebunt, gerent et utentur; [*supple* ac] pro ulteriori bono publico, communi utilitate et bono regimine dictæ civitatis, suburbiorum, libertatum, et præcinctuum ejusdem, ac victualatione eorundem: ac res et causas alias quascunque civitatem prædictam, suburbia, libertates et præcinctus ejusdem tangentibus seu quoquo modo concernentes. Quòdque commune-concilium civitatis prædictæ vel major pars eorum, quotiescunque hujusmodi leges, constitutiones, et ordinationes condiderint, fecerint, ordinarint vel stabiliverint in formâ prædictâ facient, ordinabunt, imponent, limitabunt et providebunt hujusmodi et tales poenas, punitiones et poenalitates per fines et amerciamenta vel per eorum utrumque in et super omnes delinquentes contra hujusmodi leges, ordinationes, et constitutiones seu eorum aliquod vel aliqua, qualia et quæ prædicto communi-concilio civitatis prædictæ pro tempore existenti vel majori parti eorum necessarium, opportunum et requisitum

observance of the same laws, constitutions and ordinances; and that they be enabled to levy, recover and possess themselves of the said fines and amercements by distress of goods and chattels, action of debt, or otherwise in a legal manner, to the use of the said mayor, burgesses and commonalty of our said city of Bristol and of their successors for ever, without the hindrance of us, our heirs or successors, or of any one or more officers or servants of us, our heirs or successors, and without giving, paying or making any account thereof to us, our heirs or successors. All and each which laws, ordinances and constitutions to be made, as is aforesaid, we will to be observed under the penalty contained in the same. Nevertheless in such manner, that the laws, ordinances and constitutions to be made, as is aforesaid, be reasonable and be not repugnant nor contrary to the laws, statutes, customs or rights of our kingdom of G' Britain. And moreover we will that the common-council of our said city of Bristol continue for ever to have in all causes, matters and things whatsoever as great and such power, authority and trust, as the common-council of our said city at any time heretofore had or enjoyed. **We also will** and by these presents for us, our heirs and successors we grant and confirm

pro observatione earundem legum, ordinationum et constitutionum fore videbitur facere, ordinare, imponere, limitare et providere; ac eadem fines et amerciamenta per distractionem bonorum et catallorum, actionem debiti, vel aliter legali modo levare, recuperare et habere possint et valeant ad usum præfatorum majoris, burgensium et communitatis civitatis nostræ Bristoll' prædictæ et successorum suorum in perpetuum, absque impedimento nostri, hæredum vel successorum nostrorum, aut alicujus vel aliquorum officiariorum vel ministrorum nostrorum, hæredum vel successorum nostrorum, et absque computo nobis, hæredibus vel successoribus nostris inde reddendo, solvendo, vel faciendo. Quæ omnia et singula leges, jura, ordinationes et constitutiones sicut præfertur facienda observari volumus sub poenâ in eisdem contentâ. Ita tamen quòd leges, ordinationes et constitutiones, sicut præfertur, faciendæ sint rationabiles, et non sint repugnantæ nec contrariæ legibus, statutis, consuetudinibus sive juribus regni nostri Magnæ Britanniæ. Ac etiam volumus quòd commune-concilium civitatis nostræ Bristoll' prædictæ in perpetuum permaneat habere in omnibus causis, materiis et rebus quibuscunque tantam et hujusmodi potestatem, auctoritatem et fidem quantam commune-concilium civitatis nostræ prædictæ aliquo tempore antehac habuit vel gavisum fuit. **Volumus etiam** ac per præsentés pro nobis, hæredibus et

On the death  
of an alderman  
the mayor and  
aldermen to  
choose a suc-  
cessor.

to the same mayor, burgesses and commonalty of the city of Bristol and to their successors, that if and as often as it shall happen, that one or more of the aldermen for the time being of our said city of Bristol shall hereafter die or be removed from the office of alderman of the said city, it may and shall be lawful for the mayor of the said city for the time being to summon all the aldermen of the said city for the time being to assemble in some convenient place within the said city, and that in the same place the mayor and aldermen of the same city for the time being, or the greater part of them, shall elect and nominate, and may be empowered to elect and nominate one or more of the common-council of our said city of Bristol for the time being to succeed into the place or places of the alderman or aldermen of the said city so dead or removed, as is aforesaid. We also will and by these presents for us, our heirs and successors we grant and confirm to the same mayor, burgesses and commonalty of our said city of Bristol and their successors, that as often as it shall happen that any one or more mayor, recorder, sheriffs, common-council-men, common-clerk, steward of the court of the sheriff of the county of Bristol aforesaid, or coroners of the said city, shall die or be removed

successoribus nostris concedimus ac eisdem majori, burgensibus et communitati civitatis Bristoll' et successoribus suis confirmamus, quòd si ac toties [*lege* quoties] acciderit aliquem vel aliquos de aldermannis civitatis nostræ Bristoll' prædictæ pro tempore existentibus in posterum obire vel ab officio aldermanni civitatis prædictæ amoveri, liceat et licebit majori civitatis prædictæ pro tempore existenti summonire omnes aldermannos civitatis prædictæ pro tempore existentes ad assemblandum in aliquo loco convenienti infra civitatem prædictam, et ibidem major et aldermanni ejusdem civitatis pro tempore existentes vel major pars eorum eligent et nominabunt et eligere et nominare possint et valeant, possit et valeat, unum vel plures de communi-concilio civitatis nostræ Bristoll' prædictæ pro tempore existente, succedere in locum sive loca aldermanni vel aldermannorum civitatis prædictæ sic mortui vel amoti, mortuorum vel amotorum, ut præfertur. Volumus etiam ac per præsentis pro nobis, hæredibus et successoribus nostris concedimus et confirmamus eisdem majori, burgensibus et communitati civitatis nostræ Bristoll' prædictæ et successoribus suis, quòd quandocunque acciderit aliquem vel aliquos majorem, recordatorem, vicecomites, homines de communi-concilio, comunem-clericum, senescallum curiæ vicecomitis comitatûs Bristoll' prædictæ vel coronatores civitatis prædictæ pro tempore existentes obire,

or retire from their office or offices, or that any election of the aforesaid officers or of any one or more of the same shall hereafter be vacated or rendered ineffectual by incapacity or refusal or by any other means, that then and in every such case another fit person or other fit persons shall be duly elected from time to time by the common-council of our said city of Bristol or by the greater part of the same into those offices respectively, and shall be sworn by the mayor of the said city, or by such other person, at such other time, and in such place and manner, as has been used and accustomed in our said city in this respect for the space of forty years last past. **Provided** always, and we will and by these presents for us, our heirs and successors strictly enjoining we direct and command, that every recorder of the said city, hereafter to be chosen, shall be at the time of his election to the aforesaid office a person skilled in the laws of G' Britain, and a barrister for the space of five years at the least before his said election: and also that no one shall hereafter be elected to the office of common-clerk of the said city, or to the office of steward of the court of the sheriff of the county of Bristol, unless he be skilled in the laws of G' Britain, and has been a barrister for the space of three years at least before such his election into the said

Vacant offices to be filled up by the common-council.

The recorder to be a barrister of five years standing.

The town-clerk and steward of the sheriff's court to be barristers of three years standing.

seu ab officio suo vel officiis suis amoveri vel decedere, vel aliquam electionem officiariorum prædictorum vel alicujus vel aliquorum eorundem in posterum vacari vel frustrari per incapacitatem vel renunciationem vel aliquo alio modo, quòd tunc et in quolibet tali casu alia idonea persona vel aliæ idoneæ personæ de tempore in tempus ad et in officia illa respectivè debito modo eligetur et eligentur et [*lege per*] commune-concilium civitatis nostræ Bristoll' prædictæ vel majorem partem eorundem, et juretur et jurentur per majorem civitatis nostræ prædictæ pro tempore existentem vel talem aliam personam, alio tali tempore, et in tali loco et modo, prout in civitate nostrâ prædictâ in eâ parte per spatium quadraginta annorum jam ultimò elapsorum assuetum et consuetum fuit. **Proviso** semper et volumus ac per præsentés pro nobis, hæredibus et successoribus nostris firmiter injungendo præcipimus et mandamus, quòd quilibet recordator prædictæ civitatis, in posterum eligendus, erit tempore electionis suæ ad officium prædictum vir in legibus Magnæ Britanniæ peritus, et barresterius per spatium quinque annorum ad minimum ante suam electionem prædictam: ac etiam quòd nullus ad officium communis-clerici civitatis prædictæ veq ad officium senescalli curiæ vicecomitis comitatûs Bristoll' in posterum electus erit, nisi sit peritus in legibus Magnæ Britanniæ et barresterius fuerit per spatium trium annorum ad minimum

Recorder, aldermen, common-councilmen, &c. to continue in office as long as they shall behave themselves well.

Mayor, recorder and aldermen to be justices of the peace,

and three of them to be justices of oyer and terminer, and gaol-delivery.

offices respectively. **We also will** and for ourselves, our heirs and successors we grant and confirm to the same mayor, burgesses and commonalty of the city of Bristol and to their successors, that every recorder, alderman, every common-councilman, every common-clerk, every steward and coroner of our said city of Bristol, who shall hereafter be duly chosen and sworn, shall respectively continue in his said office, as long as he shall respectively behave himself well in the same. **And we will further**, and by these presents for us, our heirs and successors we grant and confirm to the same mayor, burgesses and commonalty of our said city of Bristol and to their successors, that the mayor, recorder and aldermen of the same city for the time being, from time to time at all future times, may and shall be our justices, and every one of them may and shall be our justice, for keeping the peace of us, our heirs and successors within the said city and county and the liberties and precincts of the same. We also will and by these presents for us, our heirs and successors we grant and confirm to the same mayor, burgesses and commonalty of our said city of Bristol, that the mayor, recorder and aldermen of the same city for the time being, or any three or more of them, (of whom we will

ante talem electionem suam in officia prædicta respectivè. **Volumus etiam** et pro nobis, hæredibus et successoribus nostris concedimus et confirmamus eisdem majori, burgensibus et communitati civitatis Bristoll' et successoribus suis, quòd quilibet recordator, aldermannus, quilibet homo de communi-concilio, quilibet communis-clericus, et quilibet senescallus et coronator civitatis nostræ Bristoll' prædictæ, in posterum debito modo eligendus et jurandus, respectivè continuabit in officio suo prædicto, quamdiu respectivè se benè gesserit in eodem. **Et ulterius volumus**, ac per præsentés pro nobis, hæredibus et successoribus nostris concedimus et confirmamus eisdem majori, burgensibus, et communitati civitatis nostræ Bristoll' prædictæ et successoribus suis, quòd major, recordator et aldermanni ejusdem civitatis pro tempore existentes de tempore in tempus perpetuis futuris temporibus sint et erunt justiciarii nostri, et eorum quilibet sit et erit justiciarius noster, ad pacem nostram, hæredum et successorum nostrorum infra civitatem et comitatum prædictum, et libertates, et præinctus ejusdem conservandam. Volumus etiam ac per præsentés pro nobis, hæredibus et successoribus nostris concedimus et confirmamus eisdem majori, burgensibus et communitati civitatis nostræ Bristoll' prædictæ, quòd major, recordator, et aldermanni ejusdem civitatis pro tempore existentes, vel



the mayor and recorder of the said city for the time being to be two) be now, and from time to time for ever shall be justices of us, our heirs and successors, for inquiring, by the oath of good and lawful men of the county of our said city of Bristol both within liberties and without, by whom the truth of the matter may be better known, into all treasons, murders, rapes of women and other felonies whatever; and also into all trespasses and misdemeanors done or committed, and which shall from henceforth happen to be done or committed by any persons or in any manner within the county, precincts and liberties of the said city of Bristol: and moreover [that they shall be our justices] for hearing and determining all indictments whatever taken before the same justices of us, our heirs and successors or any of them within the county of the said city: and [that they shall be our justices] for delivering from time to time our gaol of the county of our said city of Bristol from the prisoners therein. **We have also** granted and confirmed, and we do by these presents for ourselves, our heirs and successors grant and confirm to the same mayor, burgesses and commonalty of our said city of Bristol, that the same mayor, burgesses and commonalty of our said city of Bristol and their

aliqui tres vel plures eorum (quorum majorem et recordatorem civitatis prædictæ pro tempore existentes duos esse volumus) nunc sint, et in perpetuum de tempore in tempus erunt justiciarii nostri, hæredum et successorum nostrorum ad inquirendum per sacramentum proborum et legalium hominum de comitatu civitatis nostræ Bristoll' prædictæ tam infra libertates, quàm extra, per quos rei veritas melius sciri poterit, de omnibus prodicionibus, murdris, raptibus mulierum, et aliis felonis quibuscunque; ac etiam de quibuscunque transgressionibus et malefactis infra comitatum, præcinctus et libertates civitatis Bristoll' prædictæ per quoscunque vel qualitercunque factis sive perpetratis, et [supple quæ] ex nunc fieri sive perpetrari contigerint: necnon ad omnia indictamenta quæcunque coram eisdem justiciariis nostris, hæredum et successorum nostrorum aut aliis nuper justiciariis nostris seu eorum aliquibus infra comitatum civitatis prædictæ capta, audienda et terminanda: et ad goalam nostram comitatûs civitatis nostræ Bristoll' prædictæ de prisonariis in eadem existentibus de tempore in tempus deliberandam. **Concessimus etiam** et confirmavimus, ac per præsentés pro nobis, hæredibus et successoribus nostris concedimus et confirmamus eisdem majori, burgensibus et communitati civitatis nostræ Bristoll' prædictæ, quòd iidem major, burgenses et communitas

Fines, forfeitures, &c. granted to the mayor, burgesses and commonalty without account.

successors for ever may have all and all manner and singular fines, redemptions, issues, forfeitures and ameracements to be made, assessed, forfeited and adjudged before the aforesaid justices and any of them from time to time at all future times: and that it shall be lawful for the same mayor, burgesses and commonalty of our said city of Bristol and their successors, as often as there shall be occasion from time to time, to collect and levy by means of the sheriffs or other officers of the same our city of Bristol, which now are or shall be at the time, all and singular and of such sort issues, forfeitures, fines, redemptions and ameracements adjudged or to be adjudged or to be assessed to the use of the said mayor, burgesses and commonalty of our said city of Bristol and of their successors; and to put themselves into seisin and possession of the same, without rendering, making or paying an account, or any thing else relating to them, to us, our heirs and successors. **And we will further** and by these presents for ourselves, our heirs and successors we grant that the mayor of our said city of Bristol for the time being, as long as he shall be mayor of the said city; the recorder of our said city of Bristol for the time being, as long as he shall be recorder of that city; the aldermen of our said city of Bristol for the

civitatis nostræ Bristoll' prædictæ et successores sui in perpetuum habeant omnia et omnimoda et singula fines, redemptiones, exitus, forisfacturas, et amerciamenta coram præfatis justiciariis et eorum quolibet de tempore in tempus perpetuis futuris temporibus duraturis facienda, assidenda, forisfacienda et adjudicanda: et quòd benè licebit eisdem majori, burgensibus et communitati civitatis nostræ Bristoll' prædictæ et successoribus suis de tempore in tempus, quoties opus fuerit, omnia et singula et hujusmodi exitus, forisfacturas, fines, redemptiones et amerciamenta adjudicata et adjudicanda sive assidenda, per vicecomites aut alios ministros ejusdem civitatis nostræ Bristoll', qui nunc sunt et qui pro tempore erunt, ad opus dictorum majoris, burgensium et communitatis civitatis nostræ Bristoll' prædictæ et successorum suorum, colligere ac levare; ac seipsos in seisinam et possessionem eorundem ponere absque aliquo computo vel aliquo alio nobis, hæredibus et successoribus nostris inde reddendo, faciendo, seu solvendo. **Et ulterius** volumus ac per præsentis pro nobis, hæredibus et successoribus nostris concedimus, quòd major civitatis nostræ Bristoll' prædictæ pro tempore existens, quamdiu major civitatis prædictæ extiterit; recordator civitatis nostræ Bristoll' prædictæ pro tempore existens, quamdiu recordator civitatis illius extiterit; aldermanni civitatis nostræ Bristoll' prædictæ pro tempore existentes,

time being, as long as they shall be aldermen of the same city; eleven, ten, nine, eight, seven, six, five, four or three of them (of whom we will that the mayor or recorder of our said city for the time being be one, or two of the five senior aldermen of our said city for the time being be two) may for ever hereafter from time to time have and hold and be empowered to have and hold four sessions of the peace in every year within our said city of Bristol at the usual times and according to the statute in this case appointed, as has been usual formerly in the same place; and also that they may have full power of doing, exercising and executing within the same our city and the suburbs and precincts of the same at any time or times, as often as shall be necessary, all and singular things, as many and of such kind as any other justices appointed for keeping the peace have, exercise and execute, or ought or can have, exercise and execute in any other place within this our kingdom of Great Britain. **We will moreover,** and by these presents for us, our heirs and successors we grant to the mayor, burgesses and commonalty of our said city of Bristol and to their successors, that the aforesaid George Stephens, who has been elected one of the aldermen of the said city, as is already mentioned, and every other person, who

Mayor and aldermen may hold four sessions of the peace yearly,

and have the same power as other justices of the peace in Great Britain.

quamdiu aldermanni ejusdem civitatis extiterint; undecim, decem, novem, octo, septem, sex, quinque, quatuor vel tres eorum (quorum majorem vel recordatorem civitatis nostræ prædictæ pro tempore existentem unum esse, vel duos de quinque senioribus aldermannis civitatis nostræ prædictæ pro tempore existentibus duos esse volumus) de cetero in perpetuum de tempore in tempus habeant et teneant, et habere et tenere valeant et possint, quatuor sessiones pacis in quolibet anno infra civitatem nostram Bristoll' prædictam, ad tempora usualia et per statutum in eâ parte appunctuatum, ut antehac ibidem usitatum fuit; ac etiam habeant plenam potestatem ad ea omnia et singula infra eandem nostram civitatem et suburbia et præinctus ejusdem faciendâ, exercendâ et exequendâ ad aliquod tempus sive aliqua tempora, quoties opus fuerit, quot et qualia aliqui alii justiciarii ad pacem conservandam assignati habent, exercent et exequantur, vel habere, exercere et exequi debent vel poterunt alibi infra hoc regnum nostrum Magnæ Britannîæ. **Volumus insuper** ac per præsentés pro nobis, hæredibus et successoribus nostris concedimus majori, burgensibus et communitati civitatis nostræ Bristoll' prædictæ et successoribus suis, quòd prædictus Georgius Stephens, ut præfertur, electus unus aldermannorum civitatis prædictæ,

Aldermen are to take an oath for the due execution of their office.

in future shall be elected to the office of alderman of our said city, shall take the several oaths for the due execution of the office of an alderman and of the trust of a justice of the peace before the recorder of our said city of Bristol for the time being, or in his absence before the mayor of our said city of Bristol for the time being; to whom, that is, to the mayor and recorder of our said city for the time being respectively we by these presents for us, our heirs and successors give and grant full power and authority of giving and administering the sacred ceremonies and oaths of this kind. **And further** know ye that out of our special favour, and from our certain knowledge and mere inclination we have pardoned, remitted and released, and by these presents we do for us, our heirs and successors pardon, remit and release to the mayor, burgesses and commonalty of our said city of Bristol and to their successors, and also to all and singular the mayors, recorders, aldermen, sheriffs, common-clerks, stewards of the sheriffs' court, and coroners of our said city of Bristol, who now execute or have heretofore executed the aforesaid offices or any one of them, all and of all sorts offenses, trespasses, crimes, negligences, contempts and omissions whatever, done and committed at any time or times

Pardon to the mayors, aldermen, &c. who have neglected to take the oaths,

et quælibet persona quæ in posterum ad officium aldermanni civitatis nostræ prædictæ electa fuerit, capiet et præstabit separalia sacramenta et juramenta pro debitâ executione officii aldermanni et fiduciæ justiciarii pacis infra civitatem prædictam coram recordatore civitatis nostræ Bristoll' prædictæ pro tempore existente, vel in ejus absentia coram majore civitatis nostræ Bristoll' prædictæ pro tempore existente; quibus quidem recordatori et majori civitatis nostræ prædictæ pro tempore existentibus respectivè hujusmodi sacramenta et juramenta dandi et administrandi plenam potestatem et auctoritatem pro nobis, hæredibus et successoribus nostris damus et concedimus per præsentés. **Et ulterius** sciatis quòd nos de gratiâ nostrâ speciali ac ex certâ scientiâ et mero motu nostris pardonavimus, remisimus, et relaxavimus, ac per præsentés pro nobis, hæredibus et successoribus nostris pardonamus, remittimus et relaxamus majori, burgensibus et communitati civitatis nostræ Bristoll' prædictæ et successoribus suis, necnon omnibus et singulis majoribus, recordatoribus, aldermannis, vicecomitibus, communibus-clericis, senescallis curiæ vicecomit' et coronatoribus civitatis nostræ Bristoll' prædictæ, qui nunc exercent vel antehæc exercuerunt prædicta officia vel eorum aliquod, omnia et omnimoda offensas, transgressiones, crimina, negligentias, contemptus et omissiones quæcunque, facta, commissa et perpetrata aliquo

before the date of these presents in, about or concerning the taking the oaths belonging respectively to those offices, or to any one of them; or in, about, or concerning their admission or admissions to the execution of the said offices or any one or more of them within our said city of Bristol, without having the approbation of us or any of our predecessors, kings and queens of England, previously signified under the royal hand, contrary to the provision, tenor and true intent of certain letters patent bearing date at Westminster on the second day of June, heretofore granted to the mayor, burgesses and commonalty of the city of Bristol or to their predecessors in the thirty-sixth year of the reign of the late king Charles the second. **And out of** our more abundant special favour, and from our certain knowledge and mere inclination we have remitted and released, and by these presents we do for us, our heirs and successors remit and release to the mayor, burgesses and commonalty of our said city of Bristol and to their successors all and all manner of power and authority reserved to the late king Charles the second aforesaid, his heirs and successors, in and by the said letters patent bearing the aforesaid date on the second day of June in the thirty-sixth year of the reign of the aforesaid late king Charles the second, in, about and concerning the

or have acted without the royal approbation.

The royal approbation no longer necessary for the mayor, aldermen, &c. before they enter on their office.

tempore vel aliquibus temporibus ante datum præsentium in, de, vel concernentia præstationem sacramentorum et juramentorum ad officia illa vel eorum aliquod respectivè [*supple* pertinentium]; vel in, de, aut concernentia admissionem vel admissiones suas ad executionem officiorum prædictorum vel eorum aliquorum vel alicujus infra civitatem nostram Bristoll' prædictam sine approbatione nostrâ vel aliquorum prædecessorum nostrorum, regum vel reginarum Angliæ primò significatâ sub manu regali, contra provisionem, tenorem et veram intentionem quarundam literarum patentium gerentium datum apud Westmonasterium secundo die Junii, anno regni nuper regis Caroli secundi tricesimo sexto, majori, burgensibus et communitati civitatis Bristoll' vel predecessoribus suis antehac concessarum. **Et de** abundantiori gratiâ nostrâ speciali, ac ex certâ scientiâ et mero motu nostris remisimus et relaxavimus, ac per præsentem pro nobis, hæredibus et successoribus nostris remittimus et relaxamus majori, burgensibus et communitati civitatis nostræ Bristoll' prædictæ et successoribus suis omnem et omnimodam potestatem et auctoritatem præfato nuper regi Carolo secundo, hæredibus et successoribus suis reservatam in et per prædictas literas patentes gerentes datum prædictum secundo die Junii anno regni præfati nuper.

signifying under the royal hand of him, his heirs or successors [his or their] approbation of the mayor, recorder, aldermen, sheriffs, common-council-men, common-clerk, steward of the court of the sheriff of the county, coroners, or any officers of the mayor, burgesses and commonalty of our said city of Bristol ; and [we also remit and release] all and all manner of power and authority reserved likewise by the said letters patent to the aforesaid late king Charles the second, his heirs and successors of removing and declaring to be removed from time to time and at all times the mayor, recorder, and any one or more of the aldermen or sheriffs, and any one or more of the common-council, or the common-clerk, the steward of the sheriffs court, or the coroner of our said city of Bristol, (those who were then nominated and appointed or who should afterwards be nominated and chosen) at the will and pleasure of the aforesaid late king Charles the second, his heirs and successors, by any order of him, his heirs and successors, made in privy council and signified under seal of the said privy council to the same persons respectively. **We will** moreover and by these presents for us, our heirs and successors we grant to the mayor, burgesses and commonalty of our said city of Bristol and to their successors,

Mayor, Aldermen, &c. no longer removable by the crown.

regis Caroli secundi tricesimo sexto, in, de vel concernentem approbationem majoris, recordatoris, aldermannorum, vicecomitum, hominum de communi-concilio, communis-clerici, senescalli curiæ vicecomitis comitatûs, et coronatorum, vel aliquorum officiariorum præfati majoris, burgensium, et communitatis civitatis nostræ Bristoll' prædictæ significandam sub manu regali suâ, hæredum vel successorum suorum ; ac omnem et omnimodam potestatem et auctoritatem præfato nuper regi Carolo secundo, hæredibus et successoribus suis, etiam reservatam in prædictis suis literis patentibus, de tempore in tempus et ad omnia tempora ad majorem, recordatorem, et aliquem vel aliquos aldermannorum vel vicecomitum, et aliquem vel aliquos de communi-concilio, vel comunem-clericum, senescallum curiæ vicecomit' vel coronatorem civitatis nostræ Bristoll' prædictæ in prædictis literis patentibus nominatos et constitutos, vel postea nominandos et eligendos, ad libitum et bene placitum præfati nuper regis Caroli secundi, hæredum et successorum suorum per aliquem ordinem suum vel successorum suorum in privato concilio factum et sub sigillo privati concilii predicti eisdem respectivè significatum, amovendum, et amotum et amotos esse declarandum. **Volumus insuper** ac per præsentés pro nobis hæredibus et successoribus nostris concedimus majori, burgensibus et communitati civitatis nostræ Bristoll'

that the common-council of our said city of Bristol for the time being or the greater part of them may and shall hereafter for ever have full power and authority to alter the times and places in which the markets or any of them, heretofore or now used by them or their predecessors, are or have been holden and kept within our said city of Bristol, the liberties or precincts of the same. We also grant, and by these presents for us, our heirs and successors we ordain, that all the said markets shall hereafter be holden and kept from time to time on such days, in such place or places within our said city of Bristol, the liberties or precincts of the same, as the common-council of our city of Bristol for the time being shall settle and appoint by any ordinance in writing made or to be made from time to time. And further we have granted and by these presents for us, our heirs and successors we give and grant to the same mayor, burgesses and commonalty of our said city of Bristol, that the common-council of our said city of Bristol may and shall have power and authority to enact, settle, ordain and make from time to time such reasonable laws, constitutions and ordinances whatever, to be put in writing (so that they be

Common council shall have power to alter the time and place of the present markets;

and to hold markets in future, where they please.

Common-council shall have power to make bye-laws for the regulation of markets.

prædictæ et successoribus suis, quòd commune-concilium civitatis nostræ Bristoll' prædictæ pro tempore existens vel major pars eorum de cætero in perpetuum habeat et habebit plenam potestatem et auctoritatem mutandi tempora et loca in quo vel quibus mercata vel aliquod eorum, per ipsos vel prædecessores suos antehàc vel modò usitata, tenta et custodita sint vel fuerint infra civitatem nostram Bristoll' prædictam, libertates vel præinctus ejusdem. Concedimus etiam ac per præsentés pro nobis, hæredibus et successoribus nostris ordinamus, quòd omnia mercata prædicta in posterum tenta et custodita erunt de tempore in tempus talibus diebus, in tali loco vel talibus locis infra civitatem nostram Bristoll' prædictam, libertates vel præinctus ejusdem, qualibus commune-concilium civitatis nostræ Bristoll' pro tempore existens constituet et appunctuabit per aliquam ordinationem in scripto de tempore in tempus factam vel faciendam. Et ulterius concessimus ac per præsentés pro nobis, hæredibus et successoribus nostris damus et concedimus eisdem majori, burgensibus et communitati civitatis nostræ Bristoll' prædictæ, quod commune-concilium civitatis nostræ Bristoll' prædictæ habeant et habebunt potestatem et auctoritatem condendi, constituendi, ordinandi et faciendi de tempore in tempus tales leges, constitutiones et ordinationes rationabiles quascunq; in scriptis ponendas (adeo ut legibus hujus

not contrary or repugnant to the laws of this kingdom) for the better regulation and government of the same markets or any of them, and of the persons coming thereto and having business there, such as and which shall seem to the same common-council of our city of Bristol for the time being, or to the greater part of them, to be good, honest and wholesome, according to their sound discretion, for the advantage, benefit and convenience of the same markets and of the persons using the said markets; any thing contained in the said letters patent of the late king Charles the second aforesaid, or any thing else to the contrary hereof notwithstanding. **And further** out of our more abundant special favour, and from our certain knowledge and mere inclination we will, and by these presents we do for ourselves, our heirs and successors give, confirm, ratify and approve to the said mayor, burgesses and commonalty of our said city of Bristol and to their successors as many, as great and such, the same, and the like jurisdictions, liberties, powers and franchises, exemptions, privileges, emoluments and hereditaments whatever, as are not changed or altered in or by these presents, and as the mayor, burgesses and commonalty of our said city of Bristol have formerly used, had and enjoyed by reason of any prescriptions or of any charters or letters patent heretofore

Confirmation  
of liberties,  
&c.

regni non contrariæ vel repugnantes sint) pro meliori regulatione et gubernatione eorundem mercatorum vel alicujus eorum, et personarum ad inde venientium et ibidem commercium habentium, quales et quæ eidem communi-concilio civitatis nostræ Bristoll' pro tempore existenti vel majori parti eorundem bonæ, honestæ et salubres juxta eorum sanas discretiones fore videbuntur pro commodo, utilitate et convenientiâ eorundem et personarum mercatis prædictis utentium; aliquo in prædictis literis patentibus præfati nuper regis Caroli secundi contento aut aliquo alio in contrarium inde non obstante. **Et ulterius** ex abundantiori gratiâ nostrâ speciali ac ex certâ scientiâ et mero motu nostris volumus ac per præsentis pro nobis, hæredibus et successoribus nostris damus, confirmamus, ratificamus et approbamus præfatis majori, burgensibus et communitati civitatis nostræ Bristoll' prædictæ et successoribus suis tot, tanta et talia, eadem et consimilia jurisdictiones, libertates, potestates et franchisesias, exemptiones, privilegia, emolumenta et hereditamenta quæcunque, quot, quanta, qualia et quæ in aut per præsentis non mutata sive alterata existunt, et quot, quantis, qualibus et quibus major, burgenses et communitas civitatis nostræ Bristoll' prædictæ antehac usi fuerunt, habuerunt vel gavisii fuerunt ratione



made, granted or confirmed by any of our ancestors, kings or queens of England; or as have been heretofore had, used or accustomed by any other legal means whatever; although the same or any of them have been ill used, not used or abused or discontinued; always nevertheless with such changes, alterations, emendations and additions as are made, expressed and contained above in these presents. **In witness** whereof we have caused these our letters to be made patent. Witness myself at Westminster on the 24th day of July, in the 9th year of our reign.

By Writ of Privy Seal,  
COCKS.

Twenty marks sterling are to be paid for a fine into the Queen's Hanaper.

COOPER, Chancellor.

aliquarum præscriptionum vel aliquarum chartarum vel literarum patentium per aliquos antecessores nostros reges vel reginas Angliæ antehac factarum, concessarum sive confirmatarum; aut quocunque alio legali modo antehac habita, usitata sive consueta; licet eadem aut eorum aliquod vel aliqua malè usa, non usa, seu abusa, aut discontinuata fuerint vel fuerit; talibus tamen semper cum mutationibus, alterationibus, emendationibus et additionibus, quales superiùs in præsentibus factæ, expressæ et contentæ existunt. **In cuius rei** testimonium has literas nostras fieri fecimus patentes. Teste meipsâ apud Westmonasterium vicesimo quartô die Julii, anno regni nostri nono. s.

Per Breve de Privato Sigillo,

Cocks.

Solvantur pro fine in hanaparium dominæ reginæ viginti marcæ sterlingorum.

COOPER, Cancellarius.

**Finis.**



## Errata et Addenda.

- P' 9, Note 29. For "was" read *were*.
- 14, P' 5. For "for us and our burgesses" read *for us and our heirs to our burgesses*.
- 15, P' 5. "Mounthaves"; in the old translation it is *Mounthanes*.
- 20, Note 6. There was a *Guy de Lezignan*, as well as *Geoffry*. See in the *Annales Burton' Anno 1258*, with what general indignation these brothers were expelled from the kingdom.
- 20, Note omitted. *Ralph de St. Maner*] *Nicholas de St. Maure* in the old translations.
- 23, Note 4. Perhaps the words "dicta cartâ" ought to be *aliquâ cartâ*.
- 44, in the last marginal direction. For "or" read *and*.
- 49, P' 2. For "of lands" read *of all lands*.
- 68, P' 12. After "John Viell" insert *Henry Viell*.
- 72, P' 6. For "viæ usque" read *viæ regie usque*.
- 73, P' 7. Latin. For "Crockerne" read *Crokerne*.
- 74, P' 1. For "aquam" read *aguâ*.
- 76, P' 12. For "eodem" read *eâdem*.
- 84, P' 2. For "to all whom" read *to all to whom*.
- 92, P' 5. For "gratiæ" read *gratiâ*.
- 95, P' 5. After "charissimis"; insert *Henrico Derby, Ricardo Arundell*.
- 99, P' 4. For "officiaris" read *officiariû*.
- 103, P' penult. For "hujusmodi admirallis" read *hujusmodi ammirallo et admirallis*.
- 106, P' 7. For "preciuctis" read *precinctus*.
- 121, P' 12. For "12 Feb' 4" read *12 Feb' 1 Edu' 4*.
- 129, P' 6. For "statute against" read *statute made against*.
- 129, P' 4. For "editam" read *edita*.
- 132, P' 5. For "negligentes fore" read *negligentes fuerint et ex nunc tepidi, remisi vel negligentes fore*.
- 134, P' 3. For "aliquo comitatu" read *aliquo alio comitatu*.
- 142, P' ult. For "can" read *are able*.
- 183, P' 8. For "who then should be" read *who then were*.
- 184, P' 3. For "successors from that time" read *successors or any of them, nor any other justices, officers or ministers of him, his heirs or successors from that time*.
- 201, Note. For "31" read *twenty-one*.
- 205, P' 9. For "within" read *with*.
- 218, P' 6. Latin. For "Haumier" read *Haumiers*.
- 222, P' 14. For "by these premises" read *by these presents*.
- 240, Note, P' antepenult. For "this charter" read *the charter*.
- 246, P' antepenult. After "quibuscunq" insert *cujuscunq'*
- 248, P' ult. For "town" read *city*.
- 252, P' 14. For "persons of the city" read *persons of the common-council of the city*.
- 267, P' antepenult. After "property" add *real and personal*.
- 271, P' 11. For "or the weakening;" read *or to the weakening*.
- 274, P' 4. For "delebunt" read *debebunt*.
- 282, Note 13, P' 2. For 1685 read 1682.
- 287, P' 5. After "existen" add *vel majori pti eor' (quor' major' pro tempore existen')*.

















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